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COMMISSION ON HUMAN RIGHTS
Fifty-fourth session
Agenda item 3

ORGANIZATION OF THE WORK OF THE SESSION

Bangladesh, Bhutan, China, Cuba, Egypt*, Indonesia, Kuwait*, Malaysia, Mexico, Pakistan, Philippines, Singapore*, Sri Lanka, Sudan, Thailand*, Uganda, United Republic of Tanzania* and Yemen*: draft resolution

1998/... Organization of the work of the session

The Commission on Human Rights,

Recalling the Chairman's statement of 18 April 1997 (E/1997/23-E/CN.4/1997/150, chap. III, para. 34),

Concerned about the harmful effects of politicization, acrimony and discrimination in the cause of human rights,

Reiterating the importance of cooperation and consultation as well as consensus-building in the context of enhancing the effectiveness of the Commission,

Concerned about the considerable increase in the workload, including the growing amount of documentation submitted to and the resolutions and decisions adopted by the Commission over the years, and conscious of the need to make a more rational and efficient use of the time and resources available to the Commission,

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* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Bearing in mind the need to promote constructive dialogue and increased transparency in the Commission as well as to ensure the participation of all States in consultations leading to decision-making,

Seeking to make further progress on the spirit and substance of the Chairman's statement of 18 April 1997,

1. Decides that the Chairman, or a member of the Bureau to be designated by the Chairman, shall conduct open-ended consultations on the issues included in the annex to the present resolution during the inter-sessional period on possible mechanisms for restructuring, revitalizing and further enhancing the effectiveness of the Commission, and report thereon at its fifty-fifth session;

2. Also decides that pending the outcome of the inter-sessional consultations, all draft decisions and resolutions to be considered by the Commission will be scheduled with at least 24 hours' notice and in a manner such that no more than two consultations take place at the same time.

ANNEX

Issues to be addressed during the inter-sessional consultations

1. Length and schedule of the annual sessions of the Commission and organization of work.

2. Restructuring of the agenda:

(a) Clustering of items;

(b) Periodicity of the consideration of items;

(c) Equal treatment to the consideration of all rights.

3. Documentation to be considered by the Commission inter alia:

(a) Preparation of the Commission's documentation and its availability prior to the opening of the annual sessions;

(b) Availability of background documentation;

(c) Contributions by Member States, governmental and intergovernmental observers and non-governmental organizations.

4. Methods of work of the Commission:

(a) Time management with regard to interventions and presentation of reports;

(b) Methods for organizing consultations during the sessions, including the allocation of appropriate time and venues for this purpose;

(c) Contribution of non-governmental organizations to the debate on the various substantive items of the agenda;

(d) Review of the overall system of submission of reports, inter alia, by the Secretary-General, the Commission's inter-sessional working groups, and thematic and country special procedures.

5. Overall review of the special procedures system:

(a) Special rapporteurs, special representatives and individual experts;

(b) Working groups.

6. Review of the staffing policy and overall support by the Secretariat to the Commission.

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Fifty-fourth session
Agenda item 4

QUESTION OF THE VIOLATION OF HUMAN RIGHTS IN THE OCCUPIED ARAB TERRITORIES, INCLUDING PALESTINE

Algeria*, Bahrain*, Bangladesh, China, Cuba, Egypt*, Indonesia, Jordan*, Mauritania*, Morocco, Oman*, Pakistan, Qatar*, Saudi Arabia*, Sudan, Tunisia, United Arab Emirates*, Yemen*: draft resolution

1998/... Question of the violation of human rights in the occupied Arab territories, including Palestine

The Commission on Human Rights,

Guided by the purposes and principles of the Charter of the United Nations, as well as by the provisions of the Universal Declaration of Human Rights,

Guided also by the provisions of the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights,

Taking into consideration the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and the provisions of Additional Protocol I thereto, and the Hague Convention IV of 1907,

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* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Recalling the resolutions of the Security Council, the General Assembly and the Commission on Human Rights related to the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War to the Palestinian territories, including Jerusalem, and other occupied Arab territories,

Recalling also the General Assembly resolutions on Israeli violations of human rights in the Palestinian territories, including Jerusalem, occupied since 1967 and until now, and noting Assembly resolution ES-10/4 of 13 November 1997 in which the Assembly reiterated its recommendation that the High Contracting Parties to the Geneva Convention relative to the Protection of Civilian Persons in Time of War convene a conference on measures to enforce the Convention in the occupied Palestinian territories, including Jerusalem, and to ensure its respect in accordance with common article 1 of the Geneva Conventions,

Recalling further the provisions of the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights in June 1993 (A/CONF.157/23),

Taking note of the report (E/CN.4/1998/17) of the Special Rapporteur, Mr. Hannu Halinen, regarding his mission undertaken in accordance with Commission resolution 1993/2 A of 19 February 1993,

Taking note also of the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories submitted to the General Assembly since 1968, including the latest (A/52/131 and Add.1 and Add.2),

Noting with great concern the continued Israeli refusal to abide by the resolutions of the Security Council, the General Assembly and the Commission on Human Rights calling upon Israel to put an end to the violations of human rights and affirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War to the Palestinian territories, including Jerusalem, and other Arab territories occupied by Israel since 1967,

Gravely concerned at the stagnation of the peace process because of the contempt of the Government of Israel for the principles on which this process was based, and its refusal to carry out its commitments in line with the agreements it signed with the Palestine Liberation Organization,

Recalling all its previous resolutions on the subject, including the latest, resolution 1997/1 of 26 March 1997,

1. Condemns the continued violations of human rights in the occupied Palestinian territories, including East Jerusalem, in particular the continuation of acts of wounding and killing such as that which took place on 10 March 1998 when Israeli occupation soldiers shot dead three Palestinian workers and wounded nine others, one of them seriously, and the subsequent opening of fire on Palestinian civilians after the incidents of the following days, in addition to the detention of thousands of Palestinians without trial, the continuation of the confiscation of Palestinian lands, the extension and the establishment of Israeli settlements thereon, the confiscation of Palestinians' property and expropriation of their land, the demolition of Palestinian homes and the uprooting of fruit trees, and calls upon Israel to cease these acts immediately since these practices constitute a major obstacle in the way of peace;

2. Also condemns the opening of a tunnel under the Al Aqsa mosque, the continuation of the building of an Israeli settlement on Jabal Abu Ghenaim in occupied East Jerusalem in addition to other settlements in the West Bank, the expropriation of Palestinian homes in Al-Amoud district in Jerusalem, the revocation of identity cards of the citizens of the Palestinian city of Jerusalem and forcing them to live outside their home with the aim of the Judaization of Jerusalem, and calls upon the Government of Israel to close the tunnel and to put an end immediately to these practices;

3. Further condemns the use of torture against Palestinians during interrogation, which the Israeli High Court of Justice has legitimized, and calls upon the Government of Israel to refrain immediately from the current interrogation practices and to work on abolishing the above-mentioned legitimization;

4. Reaffirms that all the Israeli settlements in the Palestinian territories occupied since 1967, including East Jerusalem, are illegal and should be dismantled in order to achieve a just, permanent and comprehensive peace in the region of the Middle East;

5. Also reaffirms that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to the Palestinian and other Arab territories occupied by Israel since 1967, including East Jerusalem, and considers any change in the geographical and demographic status of the city of East Jerusalem from its situation prior to the June 1967 war to be illegal and void;

6. Further reaffirms the great importance of the convening of a conference by the High Contracting Parties to the Geneva Convention relative to the Protection of Civilian Persons in Time of War, in accordance with General Assembly resolution ES-10/4;

7. Calls upon Israel to cease immediately its policy of enforcing collective punishments, such as demolition of houses and closure of the Palestinian territory, measures which constitute flagrant violations of international law and international humanitarian law, endanger the lives of the Palestinians and also constitute a major obstacle in the way of peace;

8. Calls once more upon Israel, the occupying Power, to desist from all forms of violation of human rights in the Palestinian territories, including East Jerusalem, and other occupied Arab territories, and to respect the bases of international law, the principles of international humanitarian law, its international commitments and the agreements it signed with the Palestine Liberation Organization;

9. Also calls upon Israel to withdraw from the Palestinian territories, including East Jerusalem, and the other Arab territories occupied since 1967, in accordance with the relevant resolutions of the United Nations and the Commission on Human Rights;

10. Requests the Secretary-General to bring the present resolution to the attention of the Government of Israel and all other Governments, the competent United Nations organs, the specialized agencies, regional intergovernmental organizations and international humanitarian organizations, to disseminate it on the widest possible scale, and to report on its implementation by the Government of Israel to the Commission on Human Rights at its fifty-fifth session;

11. Also requests the Secretary-General to provide the Commission on Human Rights with all United Nations reports issued between sessions of the Commission that deal with the conditions in which the citizens of the Palestinian and other occupied Arab territories are living under the Israeli occupation;

12. Decides to consider the question at its fifty-fifth session under the same agenda item, as a matter of high priority.

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COMMISSION ON HUMAN RIGHTS
Fifty-fourth session
Agenda item 7

THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND ITS APPLICATION TO PEOPLES UNDER COLONIAL OR ALIEN DOMINATION OR FOREIGN OCCUPATION

Algeria*, Bahrain*, Bangladesh, China, Cuba, Egypt*, Indonesia, Jordan*, Mauritania*, Morocco, Oman*, Pakistan, Qatar*, Saudi Arabia*, Sudan, Tunisia, United Arab Emirates* and Yemen: draft resolution

1998/... Situation in occupied Palestine

The Commission on Human Rights,

Guided by the purposes and principles of the Charter of the United Nations, in particular the provisions of Articles 1 and 55 thereof, which affirm the right of peoples to self-determination, and scrupulous respect of the principle of refraining in international relations from the threat or use of force, as specified in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, adopted by the General Assembly in its resolution 2625 (XXV) of 24 October 1970,

Guided also by the provisions of article 1 of the International Covenant on Economic, Social and Cultural Rights and article 1 of the International Covenant on Civil and Political Rights, which affirm that all peoples have the right to self-determination,

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* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Taking into consideration the provisions of the Declarations on the Granting of Independence to Colonial Countries and Peoples, adopted by the General Assembly in its resolution 1514 (XV) of 14 December 1960,

Guided by the provisions of the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights in June 1993 (A/CONF.157/23), and in particular Part I, paragraphs 2 and 3, relating to the right to self-determination of all peoples and especially those subject to foreign occupation,

Recalling Security Council resolutions 183 (1963) of 11 December 1963 and 218 (1965) of 23 November 1965, which affirmed the interpretation of the principle of self-determination as laid down in General Assembly resolution 1514 (XV),

Recalling also General Assembly resolutions 181 A and B (II) of 29 November 1947 and 194 (III) of 11 December 1948, as well as all other resolutions which confirm and define the inalienable rights of the Palestinian people, particularly their right to self-determination without external interference and to the establishment of their independent State on their national soil, especially Assembly resolutions ES-7/2 of 29 July 1980 and 37/86 E of 20 December 1982,

Reaffirming its previous resolutions in this regard, including the latest, resolution 1997/4 of 26 March 1997,

Bearing in mind the continued reports and recommendations of the Committee on the Exercise of the Inalienable Rights of the Palestinian People submitted to the Security Council and the General Assembly,

Reaffirming the right of the Palestinian people to self-determination in accordance with the Charter of the United Nations, the relevant United Nations resolutions and declarations, and the provisions of international covenants and instruments relating to the right to self-determination as an international principle and as a right of all peoples in the world, as it is a jus cogens in international law,

Recalling that the foreign occupation by the armed forces of a State of the territory of another State constitutes an obstacle to and a grave violation of human rights according to Part I, paragraph 30, of the Vienna Declaration and Programme of Action, and an act of aggression and a crime against the peace and security of mankind according to General Assembly resolution 3314 (XXIX) of 14 December 1974,

Affirming that the peace process, which aims to achieve a just, comprehensive and lasting peace, aims at the same time to enable the Palestinian people to achieve their national rights and, principally, their right to self-determination free of external intervention as a basic condition for establishing the long-sought peace,

1. Reaffirms the inalienable right of the Palestinian people to self-determination without external interference;

2. Calls upon Israel to comply with its obligations under the Charter of the United Nations and the principles of international law, and to withdraw from the Palestinian territories, including East Jerusalem, and the other Arab territories which it has occupied since 1967 by military force, in accordance with the relevant United Nations resolutions, so as to enable the Palestinian people to exercise their universally recognized right to self-determination;

3. Requests the Secretary-General to transmit the present resolution to the Government of Israel and all other Governments, to distribute it on the widest possible scale and to make available to the Commission on Human Rights, prior to the convening of its fifty-fifth session, all information pertaining to the implementation of the present resolution by the Government of Israel;

4. Decides to include in the provisional agenda of its fifty-fifth session the item entitled "The right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation" and to consider the situation in occupied Palestine under that item, as a matter of high priority.

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COMMISSION ON HUMAN RIGHTS
Fifty-fourth session
Agenda item 4

QUESTION OF THE VIOLATION OF HUMAN RIGHTS IN THE OCCUPIED ARAB TERRITORIES, INCLUDING PALESTINE

Algeria*, Bahrain*, Bangladesh, Cuba, Democratic People's Republic of Korea*, Egypt*, Indonesia, Jordan*, Kuwait*, Lebanon*, Mauritania*, Morocco, Oman*, Qatar*, Saudi Arabia*, Sudan, Syrian Arab Republic*, Tunisia, United Arab Emirates* and Yemen*: draft resolution

1998/... Human rights in the occupied Syrian Golan

The Commission on Human Rights,

Deeply concerned at the suffering of the Syrian citizens in the occupied Syrian Golan due to the violation of their fundamental and human rights since the Israeli military occupation of 1967,

Recalling Security Council resolution 497 (1981) of 17 December 1981,

Recalling also all relevant General Assembly resolutions, including the latest, resolution 52/68 of 10 December 1997, in which the Assembly, inter alia, called upon Israel to comply with Security Council resolution 497 (1981), to put an end to its practices violating the rights of the Syrian citizens in the occupied Syrian Golan and to put an end to its occupation of the occupied Syrian Golan,

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* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Reaffirming once more the illegality of Israel's decision of 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Golan, which has resulted in the effective annexation of that territory,

Reaffirming the principle of non-acquisition of territory by force in accordance with the Charter of the United Nations and the principles of International Law,

Taking note with deep concern of the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (A/52/131/Add.2) and, in this connection, deploring the Israeli settlement in the occupied Arab territories and regretting Israel's constant refusal to cooperate with and to receive the Special Committee,

Guided by the relevant provisions of the Charter of the United Nations, international law and the Universal Declaration of Human Rights, and reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and the relevant provisions of the Hague Conventions of 1899 and 1907, on the occupied Syrian Golan,

Reaffirming the importance of the peace process which started in Madrid on the basis of Security Council resolutions 242 (1967), 338 (1973) and 425 (1978) and the principle of land for peace, which aims at the establishment of a just and comprehensive peace in the Middle East,

Expressing its concern about the stoppage of the peace process on the Syrian and Lebanese tracks, and hoping that the commitments and guarantees reached during the previous talks will be respected in order that the talks may resume as soon as possible on both tracks,

Reaffirming its previous relevant resolutions, the most recent being resolution 1997/2 of 26 March 1997,

1. Calls upon Israel, the occupying Power, to comply with the relevant resolutions of the General Assembly and of the Security Council, particularly resolution 497 (1981), in which the Council, inter alia, decided that the Israeli decision to impose its laws, jurisdiction and administration on the occupied Syrian Golan is null and void and without international legal effect, and demanded that Israel should rescind forthwith its decision;

2. Also calls upon Israel to desist from changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Golan, and emphasizes that the displaced persons of the population of the occupied Syrian Golan must be allowed to return to their homes and to recover their properties;

3. Further calls upon Israel to desist from imposing Israeli citizenship and Israeli identity cards on the Syrian citizens in the occupied Syrian Golan and to desist from its repressive measures against them, and from all other practices mentioned in the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories;

4. Determines that all legislative and administrative measures and actions taken or to be taken by Israel, the occupying Power, that purport to alter the character and legal status of the occupied Syrian Golan are null and void, constitute a flagrant violation of international law and of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and have no legal effect;

5. Calls once again upon Member States not to recognize any of the legislative or administrative measures and actions referred to in the present resolution;

6. Requests the Secretary-General to bring the present resolution to the attention of all Governments, the competent United Nations organs, the specialized agencies, regional intergovernmental organizations and international humanitarian organizations and to give it the widest possible publicity, and to report to the Commission on Human Rights at its fifty-fifth session;

7. Decides to include in the provisional agenda of its fifty-fifth session, as a matter of high priority, the item entitled "Question of the violation of human rights in the occupied Arab territories, including Palestine".

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Fifty-fourth session
Agenda item 7

THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND ITS APPLICATION TO PEOPLES UNDER COLONIAL OR ALIEN DOMINATION OR FOREIGN OCCUPATION

Draft resolution proposed by the Chairman

1998/... Question of Western Sahara

The Commission on Human Rights,

Having considered in depth the question of Western Sahara,

Reaffirming the inalienable right of all peoples to self-determination and independence, in accordance with the principles set forth in the Charter of the United Nations and in General Assembly resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Recalling its resolution 1997/5 of 26 March 1997,

Recalling also the agreement in principle given on 30 August 1988 by the Kingdom of Morocco and the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro to the proposals of the Secretary-General of the United Nations and the then Chairman of the Assembly of Heads of State and Government of the Organization of African Unity in the context of their joint mission of good offices,

Recalling further Security Council resolutions 658 (1990) of 27 June 1990 and 690 (1991) of 29 April 1991, by which the Council approved the settlement plan for Western Sahara,

Recalling all the Security Council and General Assembly resolutions relating to the question of Western Sahara,

Taking note with satisfaction of the entry into force of the ceasefire in Western Sahara in accordance with the proposal of the Secretary-General and stressing the importance it attaches to the maintenance of the ceasefire as an integral part of the settlement plan,

Reaffirming the responsibility of the United Nations towards the people of Western Sahara, as provided for in the settlement plan,

Taking note with satisfaction of the agreements reached by the two parties during their private direct talks aimed at the implementation of the settlement plan, and stressing the importance it attaches to a full, fair and faithful implementation of the settlement plan and the agreements aimed at its implementation,

Taking note of Security Council resolution 1131 (1997) of 29 September 1997,

Recalling that the General Assembly has examined the relevant chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (A/51/23 (part V), chap. IX),

Having also examined the report of the Secretary-General (A/52/364 and Add.1),

1. Takes note of the report of the Secretary-General;

2. Takes note with satisfaction of the agreements reached between the Kingdom of Morocco and the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro for the implementation of the settlement plan during their direct private talks under the auspices of Mr. James Baker III, the Personal Envoy of the Secretary-General, and urges the parties to implement those agreements fully and faithfully;

3. Urges the two parties to continue their cooperation with the Secretary-General and his Personal Envoy and to refrain from undertaking anything that would undermine the implementation of the settlement plan and the agreements reached for its implementation;

4. Commends the Secretary-General and his Personal Envoy for their efforts in reaching these agreements as well as the two parties for the cooperation they have shown, and urges them to continue this cooperation in order to facilitate the speedy implementation of the settlement plan;

5. Reaffirms the responsibility of the United Nations towards the people of Western Sahara, as provided for in the settlement plan;

6. Reiterates its support for further efforts of the Secretary-General for the organization and the supervision by the United Nations, in cooperation with the Organization of African Unity, of a referendum for self-determination of the people of Western Sahara, in conformity with Security Council resolutions 658 (1990) and 690 (1991), by which the Council approved the settlement plan for Western Sahara;

7. Takes note of Security Council resolution 1131 (1997);

8. Notes that the General Assembly has requested the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to consider the situation in Western Sahara, bearing in mind the positive ongoing implementation of the settlement plan, and to report thereon to the General Assembly at its fifty-third session;

9. Notes further that the General Assembly has invited the Secretary-General to submit to it at its fifty-third session a report on the application of its resolution 52/75 of 10 December 1997.

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COMMISSION ON HUMAN RIGHTS
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Agenda item 4

QUESTION OF THE VIOLATION OF HUMAN RIGHTS IN THE OCCUPIED ARAB TERRITORIES, INCLUDING PALESTINE

Algeria*, Australia*, Austria, Bahrain*, Belgium*, Bulgaria*, Cape Verde, Cyprus*, Czech Republic, Denmark, Egypt*, Finland*, France, Germany, Greece*, Iceland*, Ireland, Italy, Japan, Jordan*, Luxembourg, Malta*, Morocco, Netherlands*, New Zealand*, Portugal*, San Marino*, Saudi Arabia*, Slovakia*, Spain*, Sweden*, Switzerland*, Tunisia and United Kingdom of Great Britain and Northern Ireland: draft resolution

1998/... Israeli settlements in the occupied Arab territories

The Commission on Human Rights,

Reaffirming that all member States have an obligation to promote and protect human rights and fundamental freedoms as stated in the Charter of the United Nations and as elaborated in the Universal Declaration of Human Rights, the International Covenants on Human Rights and other applicable instruments,

Mindful that Israel is a party to the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, which is applicable to Palestinian and all Arab territories occupied by Israel since 1967, including East Jerusalem,

Recalling its previous resolutions, most recently resolution 1997/3 of 26 March 1997, in which, inter alia, it reaffirmed the illegality of the Israeli settlements in the occupied territories,

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* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

1. Welcomes the report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967 (E/CN.4/1998/17);

2. Expresses its grave concern

(a) At the Israeli settlement activities, including the expansion of the settlements, the installation of settlers in the occupied territories, the expropriation of land, the demolition of houses, the confiscation of property, the expulsion of local residents and the construction of bypass roads, which change the physical character and demographic composition of the occupied territories, including East Jerusalem, since they are illegal, constitute a violation of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and are a major obstacle to peace;

(b) At and strongly condemns all acts of terrorism, whilst calling upon all parties not to allow any acts of terrorism to affect the ongoing peace process negatively;

3. Calls upon the Government of Israel

(a) To comply fully with the previous Commission resolutions on the subject, most recently resolution 1997/3 of 26 March 1997;

(b) To match its stated commitment to the peace process with concrete actions to fulfil its obligations and cease completely its policy of expanding the settlements and related activities in the occupied territories, including East Jerusalem;

(c) To forgo and prevent any new installation of settlers in the occupied territories.

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Agenda item 7

THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND ITS APPLICATION TO PEOPLES UNDER COLONIAL OR ALIEN DOMINATION OR FOREIGN OCCUPATION

Algeria*, Cuba, Democratic Republic of the Congo, Egypt*, Guinea, Mali, Swaziland* and Uganda: draft resolution

1998/... The use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self determination

The Commission on Human Rights,

Noting General Assembly resolution 52/112 of 12 December 1997 and recalling its resolution 1995/5 of 17 February 1995,

Recalling all of its relevant resolutions, in which, inter alia, it condemned any State that permitted or tolerated the recruitment, financing, training, assembly, transit and use of mercenaries with the objective of overthrowing the Governments of States Members of the United Nations, especially those of developing countries, or of fighting against national liberation movements, and recalling also the relevant resolutions of the General Assembly, the Security Council, the Economic and Social Council and the Organization of African Unity,

Reaffirming the purposes and principles enshrined in the Charter of the United Nations concerning the strict observance of the principles of sovereign

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* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

equality, political independence, territorial integrity of States, self-determination of peoples, the non-use of force or threat of use of force in international relations and non-interference in the affairs within the domestic jurisdiction of States,

Reaffirming also that by virtue of the principle of self-determination, as developed in the Declaration of Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, all peoples have the right freely to determine, without external interference, their political status and to pursue their economic, social and cultural development, and that every State has the duty to respect this right in accordance with the provisions of the Charter,

Alarmed and concerned about the danger which the activities of mercenaries constitute to peace and security in developing countries, particularly in Africa and in small States,

Deeply concerned about the loss of life, the substantial damage to property and the negative effects on the policy and economies of affected countries resulting from mercenary international criminal activities,

Convinced that it is necessary for Member States to ratify the International Convention against the Recruitment, Use, Financing and Training of Mercenaries, adopted by the General Assembly in 1989, and to develop and maintain international cooperation among States for the prevention, prosecution and punishment of mercenary activities,

Convinced also that, notwithstanding the way in which mercenaries or mercenary-related activities are used or the form they take to acquire some semblance of legitimacy, they are a threat to peace, security and the self-determination of peoples and an obstacle to the enjoyment of human rights by peoples,

1. Takes note of the report of the Special Rapporteur on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination (E/CN.4/1998/31);

2. Reaffirms that the use of mercenaries and their recruitment, financing and trains are causes for grave concern to all States and violate the purposes and principles enshrined in the Charter of the United Nations;

3. Urges all States to take the necessary steps and to exercise the utmost vigilance against the menace posed by the activities of mercenaries and to take necessary legislative measures to ensure that their territories and

other territories under their control, as well as their nationals, are not used for the recruitment, assembly, financing, training and transit of mercenaries for the planning of activities designed to destabilize or overthrow the Government of any State or threaten the territorial integrity and political unity of sovereign States, or to promote secession;

4. Calls upon all States that have not yet done so to consider taking necessary action to sign or to ratify the International Convention against the Recruitment, Use, Financing and Training of Mercenaries;

5. Decides to extend the mandate of the Special Rapporteur for three years and also decides that the Special Rapporteur, in carrying out his mandate, shall seek and receive credible and reliable information from Governments, specialized agencies and intergovernmental and non-governmental organizations;

6. Requests the Secretary-General to provide the Special Rapporteur with all necessary assistance;

7. Urges all States to cooperate fully with the Special Rapporteur in the fulfilment of his mandate;

8. Requests the Office of the United Nations High Commissioner for Human Rights, as a matter of priority, to publicize the adverse effects of mercenary activities on the right to self-determination and, when requested and where necessary, to render advisory services to States that are affected by the activities of mercenaries;

9. Requests the Secretary-General to invite Governments to make proposals towards a clearer legal definition of mercenaries;

10. Requests the Special Rapporteur to report, with specific recommendations, his findings on the use of mercenaries to undermine the right to self-determination to the Commission at its fifty-fifth session;

11. Decides to consider at its fifty-fifth session the question of the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination under the agenda item entitled "The right of peoples to self-determination and its application to peoples under colonial or alien domination of foreign occupation".

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COMMISSION ON HUMAN RIGHTS
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Agenda item 5

QUESTION OF THE REALIZATION IN ALL COUNTRIES OF THE ECONOMIC, SOCIAL AND CULTURAL RIGHTS CONTAINED IN THE UNIVERSAL DECLARATION OF HUMAN RIGHTS AND IN THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS AND STUDY OF SPECIAL PROBLEMS WHICH THE DEVELOPING COUNTRIES FACE IN THEIR EFFORTS TO ACHIEVE THESE HUMAN RIGHTS

Colombia* on behalf of Non-Aligned Movement and China:
draft resolution

1998/... Human rights and unilateral coercive measures

The Commission on Human Rights,

Recalling the purposes and the principles of the Charter of the United Nations,

Reaffirming the pertinent principles and provisions contained in the Charter of Economic Rights and Duties of States proclaimed by the General Assembly in its resolution 3281 (XXIX) of 12 December 1974, in particular article 32 which declares that no State may use or encourage the use of economic, political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights,

Recalling its resolution 1997/7 of 3 April 1997 and noting General Assembly resolution 52/120 of 12 December 1997,

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* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Recognizing the universal, indivisible, interdependent and interrelated character of all human rights and, in this regard, reaffirming the right to development as an integral part of all human rights,

Recalling that the World Conference on Human Rights called upon States to refrain from any unilateral measure not in accordance with international law and the Charter of the United Nations that creates obstacles to trade relations among States and impedes the full realization of all human rights,

Deeply concerned that, despite the recommendations adopted on this issue by the General Assembly and United Nations conferences and contrary to general international law and the Charter of the United Nations, unilateral coercive measures continue to be promulgated and implemented with all their negative implications for the socio-humanitarian activities of developing countries, including their extraterritorial effects, thereby creating additional obstacles to the full enjoyment of all human rights by peoples and individuals,

1. Calls once again upon all States to refrain from adopting or implementing unilateral measures not in accordance with international law and the Charter of the United Nations, in particular those of a coercive nature with extraterritorial effects, which create obstacles to trade relations among States, thus impeding the full realization of the rights set forth in the Universal Declaration of Human Rights and other international human rights instruments, in particular the right of individuals and peoples to development;

2. Rejects the application of such measures as tools for political or economic pressure against any country, particularly against developing countries, because of their negative effects on the realization of all human rights of vast sectors of their populations, inter alia, children, women and the elderly;

3. Reaffirms, in this context, the right of all peoples to self-determination, by virtue of which they freely determine their political status and freely pursue their economic, social and cultural development;

4. Also reaffirms that essential goods such as food and medicines should not be used as tools for political coercion, and that in no case may a people be deprived of its own means of subsistence;

5. Endorses and reaffirms the criteria of the Working Group on the Right to Development according to which unilateral coercive measures are one of the obstacles to the implementation of the Declaration on the Right to Development;

6. Welcomes and endorses the recommendation made by the Intergovernmental Group of Experts on the Right to Development, according to which States should avoid the unilateral imposition of coercive economic measures and extraterritorial application of domestic laws which run counter to the principles of free trade and hamper the development of developing countries, included among its suggestions for a global strategy for the promotion and implementation of the right to development (see E/CN.4/1998/29);

7. Decides to give due consideration to the negative impact of unilateral coercive measures in its task concerning the implementation of the right to development;

8. Requests:

(a) The United Nations High Commissioner for Human Rights, in discharging her functions in relation to the promotion, realization and protection of the right to development, to pay due attention and give urgent consideration to the present resolution;

(b) The Secretary General to bring the present resolution to the attention of all Member States and seek their views and information on the implications and negative effects of unilateral coercive measures on their populations, and to submit a report thereon to the Commission on Human Rights at its fifty-fifth session;

9. Decides to examine this question, on a priority basis, at its fifty-fifth session under the same agenda item.

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REPORT TO THE ECONOMIC AND SOCIAL COUNCIL ON THE FIFTY-FOURTH SESSION OF THE COMMISSION

DRAFT REPORT OF THE COMMISSION

Rapporteur: Mr. Roman KUZNIAR

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XXII. THE QUESTION OF CONSCIENTIOUS OBJECTION TO MILITARY SERVICE

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* Documents E/CN.4/1998/L.10 and addenda will contain the chapters of the report relating to the organization of the session and the various items on the agenda. Resolutions and decisions adopted by the Commission, as well as draft resolutions and decisions for action by, and other matters of concern to, the Economic and Social Council, will be contained in documents E/CN.4/1998/L.11 and addenda.

GE.98-12483 (E)

XXII. THE QUESTION OF CONSCIENTIOUS OBJECTION TO MILITARY SERVICE

1. The Commission considered agenda item 22 at its 54th meeting, on 20 April 1998, and at its 58th meeting, on 22 April 1998. 1/

2. For the documents issued under agenda item 22, see annex IV to the present report. For a list of all resolutions and decisions adopted by the Commission and Chairman's statements, by agenda item, see annex V to the present report.

3. In the general debate on agenda item 22, the Commission heard a statement by the observer for Singapore.

4. The Commission also heard statements by the following non-governmental organizations: Friends World Committee for Consultation (Quakers) (joint statement with Amnesty International), International Institute for Peace, Latin American Federation of Associations of Relatives of Disappeared Detainees, Pax Christi International, Pax Romana, War Resisters' International, Women's International League for Peace and Freedom.

Conscientious objection to military service

5. At its 58th meeting, on 22 April 1998, the observer for Finland introduced draft resolution E/CN.4/1998/L.93, sponsored by Austria, the Czech Republic, Denmark, Finland, Germany, Hungary and the United Kingdom of Great Britain and Northern Ireland. Canada subsequently joined the sponsors.

6. A statement in connection with the draft resolution was made by the representative of Mexico.

7. A statement in explanation of vote after the vote was made by the representative of the Republic of Korea.

8. The draft resolution was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/77.

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XXIII. INDIGENOUS ISSUES

* Documents E/CN.4/1998/L.10 and addenda will contain the chapters of the report relating to the organization of the session and the various items on the agenda. Resolutions and decisions adopted by the Commission, as well as draft resolutions and decisions for action by, and other matters of concern to, the Economic and Social Council, will be contained in documents E/CN.4/1998/L.11 and addenda.

GE.98-12082 (E)

XXIII. INDIGENOUS ISSUES

1. The Commission considered agenda item 23 at its 18th to 21st meetings, on 26 and 27 March, and at its 38th and 39th meetings, on 9 April 1998. 1/

2. For the documents issued under agenda item 23, see annex IV to the present report. For a list of all resolutions and decisions adopted by the Commission and Chairman's statements, by agenda item, see annex V to the present report.

3. At the 18th meeting, on 26 March 1998, the Chairman-Rapporteur of the Working Group established in accordance with Commission on Human Rights resolution 1995/32 of 3 March 1995, Mr. José Urrutia, introduced the report of the Working Group (E/CN.4/1998/106 and Corr.1).

4. In the general debate on agenda item 23, statements 2/ were made by the following members of the Commission: Argentina (19th), Brazil (20th), Canada (19th), Chile (19th), Cuba (20th), Guatemala (20th), Peru (19th), Philippines (20th), Russian Federation (19th), Ukraine (19th).

5. The Commission heard statements by the observers for: Australia (20th), Bolivia (20th), Estonia (19th), New Zealand (19th), Spain (19th). The observer for Switzerland also made a statement (20th).

6. Statements were also made by the observers for the International Labour Organization (19th) and the World Health Organization (19th).

7. The Commission also heard statements by the following non-governmental organizations: American Association of Jurists (19th), Anti-Slavery International (19th), Asian Buddhist Conference for Peace (19th), Franciscans International (19th), Indian Law Resource Centre (19th), Indian Movement Tupaj Amaru (19th), International Commission of Jurists (21st), International Educational Development, Inc. (19th), International Federation of Rural Adult Catholic Movements (21st), International Indian Treaty Council (19th), International League for the Rights and Liberation of Peoples (21st), International Movement against All Forms of Discrimination and Racism (19th), International Organization for the Development of Freedom of Education (20th), International Organization of Indigenous Resource Development (19th), International Peace Bureau (21st), International Work Group for Indigenous Affairs (19th), Inuit Circumpolar Conference (19th), Lutheran World Federation (21st), Minority Rights Group (20th), Movement against Racism and for Friendship among Peoples (20th), North-South XXI (21st), Pax Christi International (20th), Saami Council (20th), Service for Peace and Justice in

Latin America (21st), Transnational Radical Party (20th), World Alliance of Reformed Churches (21st), World Council of Churches (19th), World Federation for Mental Health (21st), World Wide Fund for Nature International (21st).

Working Group on Indigenous Populations of the Sub-Commission on Prevention of Discrimination and Protection of Minorities and the International Decade of the World's Indigenous People

8. At the 38th meeting, on 9 April 1998, the observer for New Zealand introduced draft resolution E/CN.4/1998/L.22, sponsored by Argentina, Australia, Canada, Chile, Cyprus, Denmark, Ecuador, Estonia, Finland, Greece, Guatemala, Honduras, Ireland, Latvia, Mexico, New Zealand, Nicaragua, Norway, Peru, the Russian Federation, Spain, Sweden, Switzerland and the United Kingdom of Great Britain and Northern Ireland. Andorra, Bolivia, Brazil, Colombia, Costa Rica, France and the Philippines subsequently joined the sponsors.

9. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications 3/ of the draft resolution.

10. The draft resolution was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/13.

11. In view of the adoption of resolution 1998/13, the Commission took no action on draft decision 3 recommended by the Sub-Commission on Prevention of Discrimination and Protection of Minorities for adoption by the Commission (see E/CN.4/1998/2-E/CN.4/Sub.2/1997/50, chap. I).

Working Group of the Commission on Human Rights to elaborate a draft declaration in accordance with paragraph 5 of General Assembly resolution 49/214 of 23 December 1994

12. At the 38th meeting, on 9 April 1998, the representative of Canada introduced draft resolution E/CN.4/1998/L.23, sponsored by Argentina, Australia, Canada, Chile, Cyprus, Denmark, Finland, Guatemala, Mexico, New Zealand, Nicaragua, Norway, Peru, Sweden and Switzerland. Bolivia, Brazil, Ecuador, Estonia, Greece, the Russian Federation, Spain and the United States of America subsequently joined the sponsors.

13. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications 3/ of the draft resolution.

14. The draft resolution was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/14.

A permanent forum for indigenous people in the United Nations system

15. At the 38th meeting, on 9 April 1998, the representative of Denmark introduced draft resolution E/CN.4/1998/L.24, sponsored by Argentina, Bangladesh, Bolivia, Canada, Chile, Cyprus, Denmark, Estonia, Finland, Greece, Guatemala, Honduras, Latvia, Lithuania, Mexico, Nepal, Norway, Portugal, the Russian Federation, Spain, Sweden, Switzerland and Ukraine. Andorra, Belgium, Colombia, Costa Rica, Ecuador, Iceland, the Netherlands and Peru subsequently joined the sponsors.

16. Statements in connection with the draft resolution were made by the representatives of Cuba, Denmark and France.

17. The second preambular paragraph, and operative paragraphs 2 and 4 of the draft resolution were orally revised by the representative of Denmark.

18. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications 3/ of the draft resolution.

19. At the 39th meeting, on 9 April 1998, the second preambular paragraph was further orally revised by the representative of Denmark.

20. Statements in connection with the draft resolution were made by the representatives of Cuba and Denmark.

21. Statements in explanation of vote before the vote were made by the representatives of Cuba and the United States of America.

22. A statement in explanation of vote after the vote was made by the representative of Japan.

23. The draft resolution, as orally revised, was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/20.

Protection of the heritage of indigenous people

24. At its 38th meeting, on 9 April 1998, the Commission considered draft decision 2 recommended by the Sub-Commission on Prevention of Discrimination and Protection of Minorities for adoption by the Commission (see E/CN.4/1998/2-E/CN.4/Sub.2/1997/50, chap. I).

25. The draft decision was orally amended by the representative of Brazil by deleting the letter "s" from the word "peoples".

26. Statements in connection with the draft decision were made by the representatives of Brazil and Cuba.

27. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications 1/ of the draft decision.

28. The draft decision, as orally amended, was adopted without a vote. For the text of the decision as adopted, see chapter II, section B, decision 1998/...

Permanent forum within the United Nations system for indigenous peoples

29. At its 39th meeting, on 9 April 1998, the Commission considered draft decision 1 recommended by the Sub-Commission on Prevention of Discrimination and Protection of Minorities for adoption by the Commission (see E/CN.4/1998/2-E/CN.4/Sub.2/1997/50, chap. I).

30. Statements in connection with the draft decision were made by the representatives of Brazil, Canada, Cuba, Denmark and Mexico.

31. Under rule 65, paragraph 2, of the rules of procedure of the functional commissions of the Economic and Social Council, the representative of Canada moved that the Commission take no decision on draft decision 1 of the Sub-Commission. The motion was adopted without a vote.

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DRAFT REPORT OF THE COMMISSION

Rapporteur: Mr. Roman KUZNIAR

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XXIV. ELECTION OF MEMBERS OF THE SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES

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* Documents E/CN.4/1998/L.10 and addenda will contain the chapters of the report relating to the organization of the session and the various items on the agenda. Resolutions and decisions adopted by the Commission, as well as draft resolutions and decisions for action by, and other matters of concern to, the Economic and Social Council, will be contained in documents E/CN.4/1998/L.11 and addenda.

GE.98-11771 (E)

XXIV. ELECTION OF MEMBERS OF THE SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES

1. The Commission considered agenda item 24 at its 32nd meeting, on 6 April 1998. 1/

2. The Commission had before it a note by the Secretary-General containing nominations of candidates for election to membership of the Sub-Commission on Prevention of Discrimination and Protection of Minorities and biographical data on the candidates (E/CN.4/1998/108 and Add.1 and 2).

3. In accordance with Economic and Social Council resolutions 1334 (XLIV) of 31 May 1968 and 1986/35 of 23 May 1986 and decisions 1978/21 of 5 May 1978 and 1987/102 of 6 February 1987, the Commission, at its forty-fourth session (39th meeting, held on 29 February 1988), elected by secret ballot 26 members of the Sub-Commission from nominations of experts made by States Members of the United Nations, on the following basis: (a) seven members from African States; (b) five members from Asian States; (c) three members from Eastern European States; (d) five members from Latin American and Caribbean States; (e) six members from Western European and other States.

4. Pursuant to Economic and Social Council resolution 1986/35, members of the Sub-Commission are elected for a term of four years, and half of the membership and the corresponding alternates, if any, are elected every two years.

5. As the term of office of half of the membership of the Sub-Commission had expired, the Commission was called upon to hold an election of Sub-Commission members and alternates on the following basis: three members from African States, three members from Asian States, one member from Eastern European States, three members from Latin American and Caribbean States, and three members from Western European and other States.

6. Three members of the Sub-Commission and their corresponding alternates from the Western European and other States were elected without a vote for a period of four years:

Western European and other States

Mr. Louis Joinet	France
Mr. Emmanuel Decaux a/	
Ms. Erica-Irene A. Daes	Greece
Ms. Kalliopi Koufa a/	
Ms. Françoise Jane Hampson	United Kingdom of Great Britain
Ms. Helena Cook a/	and Northern Ireland

7. The Commission elected by secret ballot ten members of the Sub-Commission and their corresponding alternates, if any, for a period of four years. The following candidates were elected:

African States

Mr. Yeung Kam Yeung Sik Yuen	Mauritius
Mr. El-Hadji Guissé	Senegal
Mr. Joseph Oloka-Onyango	Uganda

Asian States

Mr. Guoxiang Fan	China
Mr. Shukong Zhong a/	
Mr. Soli Jehangir Sorabjee	India
Mr. Rajendra Kalidas Wimala Goonesekere	Sri Lanka
Ms. Deepika Udagama a/	

Eastern European States

Mr. Teimuraz Ramishvili	Russian Federation
Mr. Vladimir Kartashkin a/	

Latin American and Caribbean States

Mr. Paulo Sérgio Pinheiro	Brazil
Ms. Marília Sardenberg Zelner Gonçalves a/	
Mr. José Bengoa	Chile
Mr. Alejandro Enrique Salinas Rivera a/	
Mr. Héctor Fix-Zamudio	Mexico
Mr. Alonso Gómez-Robledo Verduzco a/	

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a/ Alternate.

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DRAFT REPORT OF THE COMMISSION

Rapporteur: Mr. Roman KUZNIAR

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III. ORGANIZATION OF THE WORK OF THE SESSION

* Documents E/CN.4/1998/L.10 and addenda will contain the chapters of the report relating to the organization of the session and the various items on the agenda. Resolutions and decisions adopted by the Commission, as well as draft resolutions and decisions for action by, and other matters of concern to, the Economic and Social Council, will be contained in documents E/CN.4/1998/L.11 and addenda.

GE.98-12574 (E)

III. ORGANIZATION OF THE WORK OF THE SESSION

A. Opening and duration of the session

1. The Commission on Human Rights held its fifty-fourth session at the United Nations Office at Geneva from 16 March to 24 April 1998. It held ... meetings (E/CN.4/1998/SR.1- ...) 1/ during the session.

2. The session was opened by Mr. Miroslav Somol, Chairman of the Commission at its fifty-third session, who made a statement.

B. Attendance

3. The session was attended by representatives of States members of the Commission, by observers for other States Members of the United Nations, by observers for non-member States and by representatives of the specialized agencies, regional intergovernmental organizations, national liberation movements and non-governmental organizations. An attendance list is given in annex I to the present report.

C. Election of officers

4. At its 1st meeting, on 16 March 1998, the Commission elected the following officers by acclamation:

Chairman:	Mr. Jacob S. Selebi (South Africa)
Vice-Chairpersons:	Mr. Iftekhar Ahmed Chowdhury (Bangladesh)
	Mr. Luis Gallegos Chiriboga (Ecuador)
	Mr. Ross Hynes (Canada)
Rapporteur:	Mr. Roman Kuzniar (Poland)

D. Agenda

5. Also at its 1st meeting, the Commission had before it the provisional agenda of the fifty-fourth session (E/CN.4/1998/1 and Corr.1 and Add.1), drawn up, in accordance with rule 5 of the rules of procedure of the functional commissions of the Economic and Social Council, on the basis of the provisional agenda considered by the Commission at its fifty-third session in accordance with paragraph 3 of Economic and Social Council resolution 1894 (LVII).

6. The agenda was adopted without a vote (see annex II).

E. Organization of work

7. At its 2nd meeting, on 17 March 1998, the Commission considered the organization of its work.

8. For the documents issued under agenda item 3, see annex IV to the present report. For a list of all resolutions and decisions adopted by the Commission and Chairman's statements, by agenda item, see annex V to the present report.

9. Bearing in mind the respective priority of the items and the availability of the relevant documentation, the Commission accepted the recommendation of its officers that the following agenda items should be considered concurrently: items 4 and 7; items 5 and 6; items 9 and 17; items 11, 16 and 18; and items 13 and 14. The Commission further agreed to consider the agenda items in the following order: 1 and 2; 3; 4 and 7; 12; 13 and 14; 5 and 6; 23; 11, 16 and 18; 15; 8; 19; 9 and 17; 24; 10 (b); 10; 20; 22; 21; 25 and 26.

10. Also at its 2nd meeting, the Commission accepted the recommendation of its officers regarding limitation of the frequency and duration of statements. Members of the Commission were limited to one statement of 10 minutes or two statements of 5 minutes per item or group of items. Observers and non-governmental organizations were limited to one statement of five minutes per item or group of items. Observer States and national liberation movements mentioned in reports submitted to the Commission were limited to one statement of 10 minutes under the item concerned. National commissions (institutions) on human rights under item 9 (b) were limited to one statement of seven minutes. The introductions of draft consensus resolutions by a co-sponsor (if requested) were limited to three minutes. It was also agreed that, with regard to rights of reply, a limitation to two replies, three minutes for the first and two minutes for the second, at the end of the day or at the end of the general debate on any particular item(s), would be observed.

11. It was also recommended that guest speakers should limit their statements to 10-15 minutes. Special rapporteurs, special representatives, independent experts and chairpersons of working groups should limit their initial statements to 10 minutes and their concluding remarks, if necessary, to 5 minutes. The Commission also accepted the recommendation of its officers regarding the use of points of order as follows: the Chair would not admit the use of points of order to express disagreement or provide any arguments in favour or against questions of substance raised by guest speakers.

12. At the same meeting, it was decided that the list of speakers would be opened at the beginning of the session for all participants to be inscribed for all agenda items. There would be three separate lists, for members, observers and NGOs, and they would speak in that order. If the list of speakers was not exhausted during a particular meeting, the remaining speakers would be given the floor at the next meeting, in the same order. The closure of the list of speakers on any particular item(s) would be announced by the Chairman in advance.

13. It was also recommended that draft resolutions and decisions, in order to respect editorial and other requirements, should be submitted at least three working days before the date on which they were scheduled to be considered. The deadline for the submission of draft resolutions would be set by the Chairman in consultation with the Bureau and announced sufficiently in advance.

14. It was further decided that the Commission would dispense with the requirement of a quorum except for meetings at which a vote would be taken.

15. Also at its 2nd meeting, on the recommendation of its officers, the Commission decided to invite a number of experts, special rapporteurs, special representatives and chairpersons-rapporteurs of working groups to participate in the meetings at which their reports were to be considered. In addition, it was decided to invite the Chairs of the United Nations Commission on the Status of Women and the Committee on the Elimination of Discrimination against Women, and the head of the Secretary-General's Mission to Guatemala.

16. For the text of the decision, see chapter II, section B, decision 1998/101.

17. It was further decided that additional meetings of the working groups of the Commission under agenda items 19, 20 and 20 (d) would take place parallel to the plenary.

18. At the 7th meeting, on 19 March 1998, the United Nations High Commissioner for Human Rights, Ms. Mary Robinson, introduced her reports (E/CN.4/1998/104 and E/CN.4/1998/122) (see also chapter XXI).

19. In the general debate on agenda item 3, statements 2/ were made by the following members of the Commission: Bangladesh (3rd), China (3rd), Cuba (5th) (6th), Denmark (5th), Germany (on behalf of the Group of Western

European and other States) (3rd), India (3rd), Indonesia (4th), Pakistan (4th), Republic of Korea (on behalf of the Asian Group)(3rd), Sri Lanka (3rd).

20. The Commission heard a statement by the observer for Egypt (4th).

Situation of human rights in Colombia

21. At the 9th meeting, on 20 March 1998, the Commission heard a statement by Mr. José Fernando Castro, People's Advocate (Ombudsman) of Colombia.

22. At the 25th meeting, on 31 March 1998, the High Commissioner introduced her report on Colombia (E/CN.4/1998/16).

23. At the 39th meeting, on 9 April 1998, the Chairman, on behalf of the Commission, made the following statement concerning the situation of human rights in Colombia:

"The Commission on Human Rights welcomes the fact that the permanent office of the High Commissioner for Human Rights in Bogotá, during its first year of work, has enjoyed the cooperation of State and governmental institutions and has been able to conduct its activities in Colombia without any impediment. It also welcomes the fact that it has available to it an analytical and detailed report on the situation of human rights in Colombia, by the permanent office of the High Commissioner for Human Rights in Bogotá, as well as a document containing the observations of the Government of Colombia.

"The Commission notes the readiness of the Government of Colombia, as expressed in its observations, to give the conclusions and recommendations of the report the most serious consideration in view of their importance and, on this basis, urges the Government of Colombia to advance, with the support of the office, in the implementation of the recommendations contained in the report as soon as possible.

"The Commission welcomes the renewal of the agreement between the Government of Colombia and the High Commissioner for Human Rights extending the mandate of the permanent office in Bogotá until 30 April 1999. The Commission considers of greatest importance the work which the office has been undertaking in the promotion of respect for human rights, which may facilitate reconciliation between Colombians and the search for peace. It believes that the office, which is tasked with assisting the Colombian authorities in developing policies and programmes and the promoting and protecting of human rights and

observing violations of human rights in the country, performs a vital role in bringing the human rights situation in Colombia into focus. The Commission expects that the activities of the human rights office in Bogotá will continue to contribute to improving the human rights situation in Colombia, and to promote a climate of trust between the Government and all sectors involved in the conflict, encouraging a process of constructive dialogue involving NGOs and other sectors of civil society, and to prevent violations of human rights and international humanitarian law.

"While encouraging the work of the special commission set up by the Government of Colombia for the analysis, follow-up and implementation of the recommendations of international human rights bodies, the Commission considers that progress has been made in the implementation of the recommendations, in particular those of the thematic rapporteurs and working groups, but is still not sufficient to improve the situation of human rights in Colombia.

"In this context, the Commission is deeply concerned at the gravity and scale of the violations of human rights and breaches of international humanitarian law reported to the office in Bogotá.

"The Commission is deeply preoccupied by the persistence and intensification of the internal armed conflict, which entails increasingly serious and continuous abuses and violations of human rights and the application of international humanitarian law mainly by 'paramilitary' groups (also known as 'self-defence' groups or grupos de autodefensa) and guerrillas, but also by certain State agents.

"The Commission urges all parties to make serious efforts to negotiate a peaceful conclusion to the internal armed conflict. In this context, it acknowledges the actions of the Government of Colombia, of many State institutions and numerous organizations of civil society aimed at making progress in the peace process, in particular the creation of the National Peace Council, the 10 million votes for peace cast by the citizens of Colombia heeding the call of the non-governmental movement 'Mandate for Peace', the authorizing of regional governors to promote humanitarian agreements with guerrilla

groups, and the growing openness of Colombia to international participation in the search for negotiated solutions to armed confrontation.

"The Commission acknowledges the package of important policies and measures adopted and set in train by the Government of Colombia in the field of protecting and defending human rights and its willingness to cooperate with the office of the High Commissioner for Human Rights in Bogotá and the Commission's special rapporteurs and working groups, and its readiness to continue and reinforce them. Notwithstanding the foregoing, the Commission remains deeply concerned that the situation of endemic violence and the situation of internal armed conflict affecting many parts of the country have resulted in serious consequences for human rights.

"The Commission stresses the background analyses contained in the report of the office of the High Commissioner for Human Rights in Bogotá, according to which two political events of the highest importance, as far as their influence on the human rights situation is concerned, occurred in Colombia in 1997, that is the electoral process which will culminate in June 1998 with the election of a new President, and the broad debate in Colombian society about the possibility of a peaceful outcome to the present armed conflict.

"The Commission acknowledges that the Government of Colombia has taken steps for the application of humanitarian standards in the conflict, and welcomes its continued cooperation with the International Committee of the Red Cross (ICRC) and the facilitation of its humanitarian activities in the country.

"The Commission is deeply concerned at the growing and harmful contribution of 'paramilitary' groups to the increasingly violent situation in much of Colombia and to the deterioration of the internal armed conflict, and at the involvement of those groups in more than half of the violent crimes attributed to the parties to that conflict. This is reflected notably in the alarming number of massacres of non-combatants and the dramatic increase in numbers of displaced persons. The Commission is similarly concerned at the fact that members of the 'paramilitary' groups sometimes act in conjunction with, or with the acquiescence of members of the armed forces or police.

"The Commission welcomes the reduction in the number of human rights violations attributed to the armed forces and the police, but is concerned that the measures taken by the authorities have not yet succeeded in ensuring that any support for the activities of 'paramilitary' groups is investigated and punished. It notes, however, that there has been an increase in human rights violations committed by 'paramilitaries'. It notes the measures taken by the Government and State investigative authorities to put an end to 'paramilitary' groups, and urges all the authorities to intensify these measures to the maximum until the results are fully satisfactory, including by instituting legal proceedings against any State agents who cooperate with the 'paramilitaries'.

"The Commission expects that the armed forces of Colombia will implement the intention expressed to the office of the High Commissioner for Human Rights in Bogotá to dismiss from service all those in their ranks who may be implicated in crimes against humanity.

"The Commission condemns terrorist and other violent acts by guerrilla groups which violate international humanitarian law. It calls on the guerrilla groups to respect norms of international humanitarian law and especially condemns killings and all attacks on the civilian population, indiscriminate massacres, kidnapping and threats to kill nationals and foreigners, hostage-taking, the widespread use of anti-personnel landmines, and the recruitment of children.

"Similarly, the Commission condemns electoral sabotage by the guerrilla groups, through the kidnapping and murder of candidates for election to public posts, as well as the murder of various mayors who have not yielded to their pressure. It urges guerrilla groups to release mayors whom they are keeping prisoner and to allow them to exercise, democratically, the mandate granted by the citizens who elected them. At the same time, for humanitarian reasons, it urges the guerrilla groups to release all the soldiers in their possession and all the persons they have kidnapped in contravention of international humanitarian law, including the 30 Colombian and 6 foreign citizens held by the guerrilla group Fuerzas Armadas Revolucionarias de Colombia (FARC).

"The Commission welcomes the recommendations of the Colombian Constitutional Court on 7 November to impose strict controls on the weapons held by the 'special private security and vigilante services' (the so-called Convivir groups). It also welcomes the measures adopted by the Government of Colombia to regulate the establishment and functioning of those bodies, particularly prohibition of their establishment in zones of conflict. Furthermore, it encourages the disbanding of those groups which have failed to comply with the recommendations. It calls upon the Colombian Government to ensure the required resources to closely monitor the activities of all such groups in order to guarantee their effective control and ensure that they remain within the law.

"The Commission recognizes the legislative progress made in Colombia, the most recent examples of which are the ratification of the Inter-American Convention to Prevent and Punish Torture and the rules which regulate the recruitment of those under 18 to compulsory military service.

"The Commission calls upon the Government of Colombia to promote the conclusion of the process of reform of the military penal code, in accordance with successive recommendations made by United Nations human rights mechanisms, by excluding from military courts serious human rights violations and in particular crimes against humanity, by separating the functions of the executive and the judiciary, and by introducing criminal indemnification proceedings (la parte civil).

"The Commission calls for the urgent promotion and adoption of the draft law to put an end to forced disappearances and genocide and to increase the punishment for acts of torture, as well as adoption of other more effective measures to prevent and terminate acts of enforced disappearances, in accordance with article 3 of the Declaration on the Protection of All Persons from Enforced Disappearance, and in accordance with recommendations made by United Nations human rights mechanisms.

"The Commission recognizes the fact that a draft law has been presented to Congress to advance the abolition of the regional justice system.

"The Commission urges early agreement in the Colombian Congress upon and effective implementation of the draft laws mentioned in the three preceding paragraphs.

"The Commission remains concerned at the unacceptable level of impunity, in particular concerning abuses by State agents that continue to fall under the jurisdiction of military courts. It calls upon the Government of Colombia to take steps to address this problem as a matter of urgency. It welcomes the important advances made in a number of cases of gross human rights violations by the Human Rights Unit in the Office of the Procurator General which is investigating and indicting State agents, guerrillas, and members of 'paramilitary' groups responsible for violations of human rights or humanitarian law.

"The Commission urges the Government of Colombia to strengthen and consolidate its support, through all institutions of the State, of all those who promote the defence of human rights. It is deeply concerned at the apparent increased threat to many human rights defenders, as demonstrated, inter alia, by the killing of the two researchers of the Centre for Research and Popular Education in May 1997, and the murder of the Chairman of the Human Rights Commission in Antioquia in February. It is also deeply concerned that some members of the State intelligence organizations consider human rights defenders to be linked to guerrilla groups, and sometimes seek to have them investigated by the judicial authorities through the use of witnesses linked to the intelligence organizations. It calls upon the Colombian Government to give special importance to the safety of human rights workers. It notes the adoption in July 1997 of the Presidential Directive on recognition of the work of human rights advocates, and other measures taken by the Government to improve this situation and to protect human rights defender organizations.

"The Commission acknowledges the efforts made by the Government of Colombia to address the problems of the internal displacement of large numbers of Colombian citizens, which is largely symptomatic of the internal conflict. However, it remains deeply concerned about the increasing numbers of internally displaced persons in Colombia which calls for firm action by the Colombian authorities, perhaps in coordination with international bodies. It takes note with satisfaction

of all the measures taken by the Government of Colombia to provide solutions to this problematic situation and expects those measures to become established and implemented effectively. In this context, it welcomes the understanding reached recently between the Government of Colombia and the Office of the United Nations High Commissioner for Refugees on establishing a liaison office in Bogotá. It urges the Government of Colombia to continue to seek effective means to prevent such displacements, to take all necessary measures to protect the life and physical integrity of internally displaced persons, and to ensure security for organizations supporting them.

"The Commission requests the High Commissioner for Human Rights to present to it during its next session a detailed report containing an analysis by her Office of the situation of human rights in Colombia, in accordance with the provisions of the agreement between the Government of Colombia and the High Commissioner for Human Rights on the operation of the permanent office in Bogotá."

24. The Commission heard statements by the observers for: Colombia (25th)

....

25. The Commission also heard a statement by the following non-governmental organizations: American Association of Jurists (25th), Andean Commission of Jurists (25th), Canadian Council of Churches (25th), Catholic Institute for International Relations (25th), France-Libertés: Fondation Danielle Mitterrand (10th), Franciscans International (10th), International Commission of Jurists (25th), International Federation of Human Rights (25th), International League for the Rights and Liberation of Peoples (25th), Latin American Federation of Associations of Relatives of Disappeared Detainees (joint statement with and the World Organization against Torture) (39th), Lawyers Committee for Human Rights (9th), Lutheran World Federation (joint statement with World Alliance of Reformed Churches, World Council of Churches) (25th), OXFAM (United Kingdom and Ireland) (9th), Pax Christi International (25th), Pax Romana (25th), Women's International Democratic Federation (25th).

Outbreak of violence in Kosovo

26. At the 14th meeting, on 24 March 1998, the Chairman, on behalf of the Commission, made the following statement concerning the outbreak of violence in Kosovo:

"The Commission on Human Rights is deeply concerned at the recent outbreak of violence in Kosovo, Federal Republic of Yugoslavia (FRY). It deplores the death of a large number of civilians, including women, children and the elderly. It condemns the excessive and brutal use of force by the Serbian police.

"The Commission once again calls on the authorities in Belgrade to cease violations of human rights and to take urgent steps to protect and promote internationally accepted standards of human rights in Kosovo. Government authorities have a clear duty to protect the rights of all citizens and to ensure that public security forces act with restraint and in full respect of internationally agreed norms and standards.

"The Commission stresses that it also condemns terrorism in all its forms and from any quarter, and denounces all acts of violence, including by Kosovo Albanian groups. It calls on the leaders of the Kosovo Albanian community to make clear their total rejection of terrorism.

"The Commission urges the FRY Government and the leadership of the Kosovo Albanian community to start a genuine dialogue with the aim of finding a peaceful solution, taking into account the rights of the Kosovo Albanians as well as all others who live in Kosovo and consistent with respect for the territorial integrity of the FRY.

"The Commission supports the statement by the High Commissioner for Human Rights of 12 March and calls on the authorities in Belgrade to cooperate fully with her requests, in particular to facilitate the deployment of additional human rights officers in Kosovo, and to agree to the establishment of an office of the High Commissioner in Pristina.

"The Commission requests the newly appointed Special Rapporteur on the former Yugoslavia to make an early visit to the region and to report back to the Commission, and calls on the authorities in Belgrade to cooperate fully with him.

"The Commission welcomes the initiative of the Special Rapporteur on extrajudicial, summary or arbitrary executions in seeking to visit Kosovo and report to its current session. The Commission calls upon the authorities in Belgrade to cooperate fully with him. The Commission also calls upon the authorities in Belgrade to permit independent investigation, including by relevant international bodies, into

allegations of extrajudicial killings and, if these allegations are borne out, to prosecute and punish those responsible. There must be no impunity for such acts."

Organization of the work of the fifty-fifth session of the Commission

27. At the 58th meeting, on 22 April 1998, the Chairman orally proposed a draft decision concerning the organization of the work of the fifty-fifth session of the Commission (dates of the session). The draft decision was adopted without a vote. For the text of the decision as adopted, see chapter II, section B, decision 1998/110.

28. At the same meeting, the Chairman orally proposed a draft decision concerning the organization of the work of the fifty-fifth session of the Commission (additional meetings). The draft decision was adopted without a vote. For the text of the decision as adopted, see chapter II, section B, decision 1998/111.

29. Statements were made by the representatives of Canada (on behalf of Australia, Canada, Liechtenstein, New Zealand and Switzerland), the United Kingdom of Great Britain and Northern Ireland (on behalf of the European Union and Norway) and the United States of America, and the observer for Algeria.

F. Meetings, resolutions and documentation

30. As indicated in paragraph 1 above, the Commission held ... fully serviced meetings, including .... additional meetings, authorized by Economic and Social Council decision 1996/295 of 24 July 1996.

31. The resolutions and decisions adopted by the Commission at its fifty-fourth session are contained in chapter II of the present report. Draft resolutions and decisions for action by the Economic and Social Council are set out in chapter I. For a list of resolutions and decisions adopted by the Commission and Chairman's statements, by agenda item, see annex V to the present report.

32. Annex III contains a statement regarding the administrative and programme budget implications of resolutions and decisions adopted by the Commission at its fifty-fourth session.

33. Annex IV contains a list of documents issued for the fifty-fourth session of the Commission.

G. Visits

34. During its fifty-fourth session, the Commission heard statements 1/ by the following guest speakers:

(a) At the 1st meeting, on 16 March 1998: Mr. Kofi Annan, Secretary-General of the United Nations, and Mr. Vaclav Havel, President of the Czech Republic;

(b) At the 2nd meeting, on 17 March 1998: Mr. Kamal Kharazi, Minister for Foreign Affairs of the Islamic Republic of Iran; Mr. Youri V. Ushakov, Deputy Foreign Minister of the Russian Federation; Ms. Aloysea Inyumba, Minister of Family, Gender and Social Affairs of Rwanda; Mr. Tony Lloyd, Minister of State for Foreign and Commonwealth Affairs of the United Kingdom of Great Britain and Northern Ireland (on behalf of the European Union, Bulgaria, Cyprus, Czech Republic, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia, Slovenia); Mr. Masahiko Koumura, Secretary of State for Foreign Affairs of Japan; Ms. Tarja Halonen, Minister for Foreign Affairs of Finland, in connection with whose statement a statement in exercise of the equivalent of the right of reply was made by the Observer for Myanmar (10th); Ms. Patrizia Toia, Minister of State for Foreign Affairs of Italy; Mr. Lionel Jospin, Prime Minister of France; Mr. Abel Matutes, Minister for Foreign Affairs of Spain; Ms. Emma Bonino, Member of the European Commission (European Union); Ms. Benita Ferrero-Waldner, Secretary of State for Foreign Affairs of Austria;

(c) At the 3rd meeting, on 17 March 1998: Ms. Hilde Frafjord-Johnson, Minister for Development and Human Rights of Norway; Mr. Klaus Kinkel, Minister for Foreign Affairs of Germany; Mr. Boris Frlec, Minister for Foreign Affairs of Slovenia; Ms. Ljerka Mintas-Hodak, Deputy Prime Minister of Croatia; Mr. Eduardo Stein Barillas, Minister for Foreign Affairs of Guatemala; Mr. José Gregori, National Secretary for Human Rights of Brazil; Mr. Gorgi Spasov, Minister of Justice of the Former Yugoslav Republic of Macedonia, in connection with whose statement a statement in exercise of the right of reply was made by the Observer for Greece (3rd), followed by a statement in exercise of the equivalent of the right of reply by the Observer for the Former Yugoslav Republic of Macedonia (3rd); Mr. Kamal Thapa, Minister for Foreign Affairs of Nepal;

(d) At the 5th meeting, on 18 March 1998: Mr. Camilo Reyes Rodriguez, Vice-Minister for Foreign Affairs of Colombia; Mr. Maciej Kozlowski, Deputy Minister for Foreign Affairs of Poland; Mr. Ahmed Attaf, Minister for Foreign Affairs of Algeria; Mr. Rokas Bernotas, Deputy Minister for Foreign Affairs of Lithuania; Ms. Lydie Err, Secretary of State for Foreign Affairs of Luxembourg; Mr. Moustapha Niasse, Minister for Foreign Affairs of Senegal; Mr. Augustin Kontchou Kouomegni, Minister of State in charge of External Relations of Cameroon, in connection with whose statement a statement in exercise of the right of reply was made by the Observer for Nigeria (6th), followed by a statement in exercise of the equivalent of the right of reply by the Observer for Cameroon (6th); Mr. Erik Derycke, Minister for Foreign Affairs of Belgium; Mr. Gohar Ayub Khan, Minister for Foreign Affairs of Pakistan, in connection with whose statement statements in exercise of the right of reply or its equivalent were made by the representative of India (6th) and by the Observer for Afghanistan (6th), followed by a statement in exercise of the equivalent of the right of reply by the representative of Pakistan (6th);

(e) At the 6th Meeting, on 18 March 1998: Mr. Hikmet Sami Turk, State Minister in charge of Human Rights of Turkey; Mr. Rodolphe Adada, Minister for Foreign Affairs of the Republic of the Congo;

(f) At the 7th meeting, on 19 March 1998: Ms. Sadako Ogata, United Nations High Commissioner for Refugees; Ms. Frances Rodrigues, Deputy Minister for Foreign Affairs and Cooperation of Mozambique; Mr. Jorge Madrazo, Attorney General of Mexico; Mr. Marcel Eloi Rahandi Chambrier, Minister for Justice of Gabon; Sheikh Mohammed bin Mubarak Al-Khalifa, Minister for Foreign Affairs of Bahrain;

(g) At the 8th meeting, on 19 March 1998: Mr. Hans van Mierlo, Minister for Foreign Affairs of the Netherlands; Ms. Nina Mazai, Deputy Minister for Foreign Affairs of Belarus; Mr. Valdis Birkavs, Minister for Foreign Affairs of Latvia;

(h) At the 9th meeting, on 20 March 1998: Archbishop Jean-Louis Tauran, Secretary for Relations with States of the Holy See; Ms. Lena Hjelm-Wallén, Minister for Foreign Affairs of Sweden; His Highness Torki Ben Mohammed Ben Saoud Al-Kabeer, Head of International Organizations Department at the Ministry of Foreign Affairs of Saudi Arabia;

Mr. Abdullah Ahmad Ghanem, Minister of Legal Affairs of Yemen; Mr. Valentine W.C. Kayope, Deputy Minister for Foreign Affairs of Zambia;

(i) At the 10th meeting, on 20 March 1998: Mr. Roberto Robaina Gonzalez, Minister for Foreign Affairs of Cuba;

(j) At the 11th meeting, on 23 March 1998: Mr. Dali Jazy, Minister of Higher Education of Tunisia;

(k) At the 12th meeting, on 23 March 1998: Mr. Abdullah Mohammed Omar, Minister of Justice of South Africa;

(l) At the 13th meeting, on 24 March 1998: Mr. Pierre-Henri Imbert, Director of Human Rights of the Council of Europe;

(m) At the 15th meeting, on 25 March 1998: Mr. Omar El Muntasser, Secretary-General of the General People's Committee for Foreign Liaisons of the Libyan Arab Jamahiriya; Mr. Jaime Gama, Minister for Foreign Affairs of Portugal, in connection with whose statement statements in exercise of the right of reply or its equivalent were made by the representative of Indonesia (16th)(18th), followed by a statement in exercise of the equivalent of the right of reply by the Observer of Portugal (18th); Mr. Azeddine Laraki, Secretary-General of the Organization of the Islamic Conference, in connection with whose statement a statement in exercise of the right of reply was made by the representative of India (16th);

(n) At the 16th meeting, on 25 March 1998: Mr. Bill Richardson, Permanent Representative of the United States of America to the United Nations, in connection with whose statement statements in exercise of the right of reply or its equivalent were made by the representative of Cuba (16th) and by the Observer for Iraq (16th);

(o) At the 17th meeting, on 26 March 1998: Mr. Ali Mohammed Othman Yassin, Minister of Justice of the Sudan; Mr. Friis Arne Petersen, Permanent Secretary for Foreign Affairs of Denmark;

(p) At the 18th meeting, on 26 March 1998: Mr. Federico Mayor, Director-General of the United Nations Educational, Scientific and Cultural Organization (UNESCO); Mr. Jonathan Motzfeldt, Premier of Greenland, Denmark; Mr. Asdrubal Aguiar, Minister of the Secretariat of the Presidency of Venezuela and President of the National Commission on Human Rights of Venezuela;

(q) At the 19th meeting, on 27 March 1998: Ms. Carmen Moreno, Vice-Minister for Foreign Affairs of Mexico;

(r) At the 22nd meeting, on 30 March 1998: Mr. Lloyd Axworthy, Minister for Foreign Affairs of Canada; Ms. Andrea Willi, Minister for Foreign Affairs of Liechtenstein;

(s) At the 23rd meeting, on 30 March 1998: Mr. Fernando Naranjo, Minister for Foreign Affairs of Costa Rica;

(t) At the 28th meeting, on 2 April 1998: Mr. Bamouni Somolou Stanislas Baba, Minister for Justice and Human Rights of Togo;

(u) At the 30th meeting, on 3 April 1998, Mr. Mariano Fernández A., Vice-Minister for Foreign Affairs of Chile;

(v) At the 32nd meeting, on 6 April 1998, Mr. Gabriel Aguilera Peralta, Vice-Minister for Foreign Affairs of Guatemala;

(w) At the 42nd meeting, on 14 April 1998, Mr. Mweze Nkongolo, Minister of Justice of the Democratic Republic of the Congo;

(x) At the 45th meeting, on 15 April 1998, Mr. Paskal Milo, Minister for Foreign Affairs of Albania; Mr. Tom Ikimi, Minister for Foreign Affairs of Nigeria;

(y) At the 49th meeting, on 16 April 1998, Mr. Georges Chikoty, Vice-Minister for Foreign Affairs of Angola;

(z) At the 54th meeting, on 20 April 1998, Mr. Miguel Oyono Ndong Mifumu, Vice-Prime Minister and Minister for Foreign Affairs of Equatorial Guinea;

(...) A statement in exercise of the right of reply or its equivalent was made by the representative of China (20th).

H. Other matters

35. At its 6th meeting, on 18 March 1998, the Commission observed a minute of silence in memory of the five members of the Mission for the Verification of Human Rights and of Compliance with the Commitments of the Comprehensive Agreement of Human Rights in Guatemala (MINUGUA) who had lost their lives in a helicopter accident on 17 March 1998.

36. At its 54th meeting, on 20 April 1998, the Commission observed a minute of silence in memory of Mr. José Eduardo Umaña Mendoza, a Colombian

human rights defender, who was assassinated on 18 April 1998. At the same meeting, statements were made by the observers for Colombia and the World Organization against Torture (joint statement with the International Service for Human Rights).

---- MORE TO COME ----

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REPORT TO THE ECONOMIC AND SOCIAL COUNCIL ON THE FIFTY-FOURTH SESSION OF THE COMMISSION

DRAFT REPORT OF THE COMMISSION

Rapporteur: Mr. Roman KUZNIAR

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Chapter

IV. QUESTION OF THE VIOLATION OF HUMAN RIGHTS IN THE OCCUPIED ARAB TERRITORIES, INCLUDING PALESTINE

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* Documents E/CN.4/1998/L.10 and addenda will contain the chapters of the report relating to the organization of the session and the various items on the agenda. Resolutions and decisions adopted by the Commission, as well as draft resolutions and decisions for action by, and other matters of concern to, the Economic and Social Council, will be contained in documents E/CN.4/1998/L.11 and addenda.

GE.98-11443 (E)

IV. QUESTION OF THE VIOLATION OF HUMAN RIGHTS IN THE OCCUPIED ARAB TERRITORIES, INCLUDING PALESTINE

1. The Commission considered agenda item 4 at its 3rd to 5th meetings, from 17 to 18 March, concurrently with item 7 (see chap. VII), at its 6th to 10th meetings, from 18 to 20 March, and at its 20th meeting, on 27 March 1998. 1/

2. For the documents issued under agenda item 4, see annex IV to the present report. For a list of all resolutions and decisions adopted by the Commission and Chairman's statements, by agenda item, see annex V to the present report.

3. At the 3rd meeting, on 17 March 1998, the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Mr. Hannu Halinen, introduced his report (E/CN.4/1998/17). At the 9th meeting, on 20 March 1998, the Special Rapporteur made his concluding remarks.

4. In the general debate on agenda item 4, statements 2/ were made by the following members of the Commission: Bangladesh (7th), Botswana (7th), Canada (8th), China (6th), Cuba (6th), India (3rd), Indonesia (4th), Japan (6th), Madagascar (6th), Malaysia (8th), Morocco (6th), Pakistan (8th), Republic of Korea (6th), Russian Federation (7th), Senegal (8th), Sudan (7th), Tunisia (on behalf of the Arab Group) (3rd), Ukraine (6th), United Kingdom of Great Britain and Northern Ireland (on behalf of the European Union, Bulgaria, Cyprus, Czech Republic, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia, Slovenia) (5th), United States of America (7th).

5. The Commission heard statements by the observers for: Algeria (8th), Egypt (4th), Iran (Islamic Republic of) (8th), Israel (8th), Jordan (6th), Libyan Arab Jamahiriya (8th), Norway (8th), Saudi Arabia (6th), Swaziland (8th), Syrian Arab Republic (4th), Yemen (8th). The observer for Palestine also made a statement (4th).

6. A statement was also made by the observer for the League of Arab States (4th).

7. The Commission also heard statements by the following non-governmental organizations: Amnesty International (4th), Association for World Education (4th), International Commission of Jurists (8th), International Federation of Human Rights Leagues (4th), International Save the Children Alliance (4th), Pax Christi International (4th).

8. A statement in exercise of the equivalent of the right of reply was made by the observer for Palestine (8th).

9. At its 20th meeting, on 27 March 1998, the Commission took up consideration of the draft resolutions submitted under agenda item 4.

Question of the violation of human rights in the occupied Arab territories, including Palestine

10. The observer for Egypt introduced draft resolution E/CN.4/1998/L.3, sponsored by Algeria, Bahrain, Bangladesh, China, Cuba, Egypt, Indonesia, Jordan, Mauritania, Morocco, Oman, Pakistan, Qatar, Saudi Arabia, Sudan, Tunisia, United Arab Emirates and Yemen. Malaysia subsequently joined the sponsors.

11. Statements in connection with the draft resolution were made by the observers for Israel and Palestine.

12. Statements in explanation of vote before the vote were made by the representatives of the United Kingdom of Great Britain and Northern Ireland (on behalf of the European Union) and the United States of America.

13. The representative of the United States of America requested a vote. At the request of the representative of Cuba, a roll-call vote was taken on the draft resolution, which was adopted by 31 votes to 1, with 20 abstentions. The voting was as follows:

In favour: Bangladesh, Bhutan, Botswana, Brazil, Cape Verde, Chile, China, Congo, Cuba, Democratic Republic of the Congo, Guinea, India, Indonesia, Madagascar, Malaysia, Mali, Mexico, Morocco, Mozambique, Nepal, Pakistan, Peru, Philippines, Republic of Korea, Rwanda, Senegal, South Africa, Sri Lanka, Sudan, Tunisia, Uganda.

Against: United States of America.

Abstaining: Argentina, Austria, Belarus, Canada, Czech Republic, Denmark, Ecuador, El Salvador, France, Germany, Guatemala, Ireland, Italy, Japan, Luxembourg, Poland, Russian Federation, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay.

14. The delegation of Venezuela later advised the Secretariat that, had it been present, it would have voted in favour of the draft resolution.

15. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/1.

Human rights in the occupied Syrian Golan

16. The observer for the Syrian Arab Republic introduced draft resolution E/CN.4/1998/L.5, sponsored by Algeria, Bahrain, Bangladesh, Cuba, Democratic People's Republic of Korea, Egypt, Indonesia, Jordan, Kuwait, Lebanon, Mauritania, Morocco, Oman, Qatar, Saudi Arabia, the Sudan, Syrian Arab Republic, Tunisia, the United Arab Emirates and Yemen. Malaysia and Pakistan subsequently joined the sponsors.

17. A statement in connection with the draft resolution was made by the observer for Israel.

18. A statement in explanation of vote before the vote was made by the representative of the United Kingdom of Great Britain and Northern Ireland (on behalf of the European Union).

19. The representative of the United States of America requested a vote. At the request of the representative of the Syrian Arab Republic, a roll-call vote was taken on the draft resolution, which was adopted by 33 votes to 1, with 19 abstentions. The voting was as follows:

In favour: Argentina, Bangladesh, Belarus, Bhutan, Botswana, Cape Verde, Chile, China, Congo, Cuba, Democratic Republic of the Congo, Guinea, India, Indonesia, Madagascar, Malaysia, Mali, Mexico, Morocco, Mozambique, Nepal, Pakistan, Philippines Republic of Korea, Russian Federation, Rwanda, Senegal, South Africa, Sri Lanka, Sudan, Tunisia, Uganda, Venezuela.

Against: United States of America.

Abstaining: Austria, Brazil, Canada, Czech Republic, Denmark, Ecuador, El Salvador, France, Germany, Guatemala, Ireland, Italy, Japan, Luxembourg, Peru, Poland, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay.

20. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/2.

Israeli settlements in the occupied Arab territories

21. The representative of the United Kingdom of Great Britain and Northern Ireland introduced draft resolution E/CN.4/1998/L.7, sponsored by Algeria, Australia, Austria, Bahrain, Belgium, Bulgaria, Cape Verde, Cyprus, Czech Republic, Denmark, Egypt, Finland, France, Germany, Greece, Iceland, Ireland, Italy, Japan, Jordan, Luxembourg, Malta, Morocco, Netherlands, New Zealand, Portugal, San Marino, Saudi Arabia, Slovakia, Spain, Sweden, Switzerland,

Tunisia and the United Kingdom of Great Britain and Northern Ireland. Bangladesh, Liechtenstein, Madagascar, the Russian Federation and South Africa subsequently joined the sponsors.

22. A statement in connection with the draft resolution was made by the observer for Israel.

23. At the request of the representative of the United States of America, a vote by show of hands was taken on the draft resolution, which was adopted by 51 votes to 1, with no abstentions.

24. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/3.

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Chapter

V. QUESTION OF THE REALIZATION IN ALL COUNTRIES OF THE ECONOMIC, SOCIAL AND CULTURAL RIGHTS CONTAINED IN THE UNIVERSAL DECLARATION OF HUMAN RIGHTS AND IN THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS, AND STUDY OF SPECIAL PROBLEMS WHICH THE DEVELOPING COUNTRIES FACE IN THEIR EFFORTS TO ACHIEVE THESE HUMAN RIGHTS, INCLUDING:

(a) PROBLEMS RELATED TO THE RIGHT TO ENJOY AN ADEQUATE STANDARD OF LIVING; FOREIGN DEBT, ECONOMIC ADJUSTMENT POLICIES AND THEIR EFFECTS ON THE FULL ENJOYMENT OF HUMAN RIGHTS AND, IN PARTICULAR, ON THE IMPLEMENTATION OF THE DECLARATION ON THE RIGHT TO DEVELOPMENT;

(b) THE EFFECTS OF THE EXISTING UNJUST INTERNATIONAL ECONOMIC ORDER ON THE ECONOMIES OF THE DEVELOPING COUNTRIES, AND THE OBSTACLE THAT THIS REPRESENTS FOR THE IMPLEMENTATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS.

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GE.98-12423 (E)

V. QUESTION OF THE REALIZATION IN ALL COUNTRIES OF THE ECONOMIC, SOCIAL AND CULTURAL RIGHTS CONTAINED IN THE UNIVERSAL DECLARATION OF HUMAN RIGHTS AND IN THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS, AND STUDY OF SPECIAL PROBLEMS WHICH THE DEVELOPING COUNTRIES FACE IN THEIR EFFORTS TO ACHIEVE THESE HUMAN RIGHTS, INCLUDING:

(a) PROBLEMS RELATED TO THE RIGHT TO ENJOY AN ADEQUATE STANDARD OF LIVING; FOREIGN DEBT, ECONOMIC ADJUSTMENT POLICIES AND THEIR EFFECTS ON THE FULL ENJOYMENT OF HUMAN RIGHTS AND, IN PARTICULAR, ON THE IMPLEMENTATION OF THE DECLARATION ON THE RIGHT TO DEVELOPMENT;

(b) THE EFFECTS OF THE EXISTING UNJUST INTERNATIONAL ECONOMIC ORDER ON THE ECONOMIES OF THE DEVELOPING COUNTRIES, AND THE OBSTACLE THAT THIS REPRESENTS FOR THE IMPLEMENTATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS.

1. The Commission considered agenda item 5 concurrently with item 6 (see chap. VI) at its 13th to 18th meetings, from 24 to 26 March, at its 38th meeting, on 9 April, and at its 51st meeting, on 17 April 1998. 1/

2. For the documents issued under agenda item 5, see annex IV to the present report. For a list of all resolutions and decisions adopted by the Commission and Chairman's statements, by agenda item, see annex V to the present report.

3. At the 15th meeting, on 25 March 1998, a statement was made by Ms. Angela E.V. King, Special Adviser of the Secretary-General on Gender Issues and Advancement of Women.

4. At the same meeting, the Special Rapporteur on the adverse effects of the illicit movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights, Ms. Fatma Zohra Ksentini, introduced her report (E/CN.4/1998/10 and Add.1-2).

5. In the general debate on agenda item 5, statements 2/ were made by the following members of the Commission: Bangladesh (16th), Brazil (17th), Chile (13th), China (15th), Cuba (15th), El Salvador (17th), Guatemala (16th), India (14th), Japan (16th), Madagascar (16th), Nepal (15th), Pakistan (16th), Peru (14th), Republic of Korea (17th), Russian Federation (16th), Senegal (16th), South Africa (16th), Tunisia (17th), Uganda (15th), Ukraine (17th), United Kingdom of Great Britain and Northern Ireland (on behalf of the European Union, Bulgaria, Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Romania, Slovakia and Slovenia) (15th).

6. The Commission heard statements by the observers for: Algeria (18th), Egypt (15th), Finland (16th), Haiti (18th), Iran (Islamic Republic of) (18th), Nicaragua (18th), Nigeria (16th), Norway (16th), Paraguay (14th), Portugal (18th), Swaziland (15th), United Arab Emirates (16th), United Republic of Tanzania (14th), Yemen (18th).

7. Statements were also made by the observers for the United Nations Centre for Human Settlements (Habitat) (16th), the Food and Agriculture Organization of the United Nations (18th), the World Health Organization (14th), the International Federation of Red Cross and Red Crescent Societies (16th) and the World Bank (17th).

8. The Commission also heard statements by the following non-governmental organizations: African Association of Education for Development (18th), African Commission of Health and Human Rights Promoters (14th), Afro-Asian People's Solidarity Organization (18th), American Association of Jurists (14th), Asian Cultural Forum on Development (17th), Association tunisienne pour l'auto-développement et la solidarité (17th), Caritas Internationalis (18th), Centre Europe-Tiers Monde (14th), Earthjustice Legal Defense Fund (18th), Human Rights Advocates (14th), Indian Council of Education (17th), Indian Movement Tupaj Amaru (14th), International Association against Torture (18th), International Association of Democratic Lawyers (14th), International Educational Development (14th), International Federation of Social Workers (16th), International Federation Terres des Hommes (18th), International Federation of University Women (joint statement with American Association of Retired Persons, Associated Country Women of the World, Baha'i International Community, Change, Coalition Against Trafficking in Women, Consumers International, International Abolitionist Federation, International Alliance of Women, International Baccalaureat Organisation, International Council of Jewish Women, International Council of Social Welfare, International Council of Women, International Federation of Settlements and Neighbourhood Centres, National Council of German Women's Organizations, Soroptomist International, Women's International Zionist Organization, Women's World Summit Foundation, World Federation of the Ukrainian Women's Organization, World Union of Catholic Women's Organizations, Zonta International) (14th), International Institute for Non-Aligned Studies (16th), International League for the Rights and Liberation of Peoples (17th), International Movement ATD Fourth World (18th),

International Movement of Apostolate in the Independent Social Milieus (14th), International Organization for the Development of Freedom of Education (16th), Minority Rights Group (18th), Pax Christi (17th), Pax Romana (joint statement with Franciscans International)(14th), Service, Peace and Justice in Latin America (17th), Socialist International (18th), Women's International League for Peace and Freedom (17th), World Federation for Mental Health (17th), World Federation of Trade Unions (14th), World Muslim Congress (17th), World Society of Victimology (17th).

Human rights and unilateral coercive measures

9. At the 38th meeting, on 9 April 1998, the observer for Colombia introduced draft resolution E/CN.4/1998/L.9, sponsored by China and Colombia (on behalf of the Non-Aligned Movement).

10. A statement in explanation of vote before the vote was made by the representative of the United States of America.

11. The representative of the United States of America requested a vote. At the request of the representative of Cuba, a roll-call vote was taken on the draft resolution, which was adopted by 37 votes to 7, with 8 abstentions. The voting was as follows:

In favour: Argentina, Bangladesh, Belarus, Bhutan, Botswana, Brazil, Cape Verde, Chile, China, Congo, Cuba, Democratic Republic of the Congo, Ecuador, El Salvador, Guatemala, Guinea, India, Indonesia, Madagascar, Malaysia, Mexico, Morocco, Mozambique, Nepal, Pakistan, Peru, Philippines, Russian Federation, Rwanda, Senegal, South Africa, Sri Lanka, Sudan, Tunisia, Uganda, Uruguay, Venezuela.

Against: Canada, Germany, Japan, Luxembourg, Republic of Korea, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Austria, Czech Republic, Denmark, France, Ireland, Italy, Poland, Ukraine.

12. The delegation of Mali later advised the Secretariat that, had it been present, it would have voted in favour of the draft resolution.

13. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/11.

Adverse effects of the illicit movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights

14. At the 38th meeting, on 9 April 1998, the representative of Senegal introduced draft resolution E/CN.4/1998/L.20/Rev.1, sponsored by Senegal (on behalf of the African Group). Costa Rica, Iraq, the Libyan Arab Jamahiriya and Paraguay subsequently joined the sponsors.

15. Statements in explanation of vote before the vote were made by the representatives of Germany, Malaysia, the Philippines and the United States of America.

16. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications 1/ of the draft resolution.

17. The representative of the United States of America requested a vote. At the request of the representative of Senegal, a roll-call vote was taken on the draft resolution, which was adopted by 33 votes to 14, with 6 abstentions. The voting was as follows:

In favour: Argentina, Bangladesh, Bhutan, Botswana, Brazil, Cape Verde, Chile, China, Congo, Cuba, Democratic Republic of the Congo, Ecuador, El Salvador, Guinea, India, Indonesia, Madagascar, Mali, Mexico, Morocco, Mozambique, Nepal, Pakistan, Peru, Rwanda, Senegal, South Africa, Sri Lanka, Sudan, Tunisia, Uganda, Uruguay, Venezuela.

Against: Belarus, Canada, Czech Republic, Denmark, France, Germany, Italy, Japan, Luxembourg, Poland, Russian Federation, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Austria, Guatemala, Ireland, Malaysia, Philippines, Republic of Korea.

18. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/12.

Effects of structural adjustment policies on the full enjoyment of human rights

19. At the 38th meeting, on 9 April 1998, the representative of the Philippines introduced draft decision E/CN.4/1998/L.31, sponsored by the Philippines.

20. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications 3/ of the draft decision.

21. A statement in explanation of vote before the vote was made by the representative of Japan.

22. The representative of the United Kingdom of Great Britain and Northern Ireland requested a vote. At the request of the representative of the Philippines, a roll-call vote was taken on the draft decision, which was adopted by 36 votes to 14, with 3 abstentions. The voting was as follows:

In favour: Argentina, Bangladesh, Bhutan, Botswana, Brazil, Cape Verde, Chile, China, Congo, Cuba, Democratic Republic of the Congo, Ecuador, El Salvador, Guatemala, Guinea, India, Indonesia, Madagascar, Malaysia, Mali, Mexico, Morocco, Mozambique, Nepal, Pakistan, Philippines, Republic of Korea, Rwanda, Senegal, South Africa, Sri Lanka, Sudan, Tunisia, Uganda, Uruguay, Venezuela.

Against: Austria, Belarus, Canada, Denmark, France, Germany, Ireland, Italy, Japan, Luxembourg, Russian Federation, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Czech Republic, Peru, Poland.

23. For the text of the decision as adopted, see chapter II, section B, decision 1998/... .

The right to food

24. At the 51st meeting, on 17 April 1998, the representative of Cuba introduced draft resolution E/CN.4/1997/L.16, sponsored by Afghanistan, Algeria, Bangladesh, Bhutan, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Congo, Cuba, the Democratic Republic of the Congo, the Democratic People's Republic of Korea, Denmark, the Dominican Republic, Ecuador, El Salvador, Ethiopia, Egypt, Finland, France, Guatemala, Guinea, Haiti, India, the Islamic Republic of Iran, Iraq, Ireland, Italy, Kenya, the Libyan Arab Jamahiriya, Madagascar, Mali, Mauritania, Mexico, Mozambique, Nepal, Nigeria, Pakistan, Panama, Peru, Portugal, Rwanda, Senegal, South Africa, Sri Lanka, Swaziland, the Syrian Arab Republic, Togo, Uganda, the United Republic of Tanzania, Venezuela, Viet Nam and Yemen. Angola,

Australia, Austria, Belarus, Costa Rica, Germany, Liechtenstein, Norway, the Philippines, the Russian Federation, the Sudan and Tunisia subsequently joined the sponsors.

25. The second and eighth preambular paragraphs and operative paragraphs 6 and 7 of the draft resolution were orally revised by the representative of Cuba.

26. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications 3/ of the draft decision. In that regard, a statement of the estimated administrative and programme budget implications of draft resolution E/CN.4/1997/L.16 was issued in document E/CN.4/1998/L.94.

27. The draft resolution, as orally revised, was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/23.

Effects on the full enjoyment of human rights of the economic adjustment policies arising from foreign debt and, in particular, on the implementation of the Declaration on the Right to Development

28. At the 51st meeting, on 17 April 1998, the representative of Cuba introduced draft resolution E/CN.4/1998/L.17, sponsored by Algeria, Angola, Bangladesh, Cameroon, China, Colombia, Cuba, the Democratic People's Republic of Korea, the Democratic Republic of the Congo, Egypt, Gabon, Ghana, Guinea, Haiti, the Islamic Republic of Iran, Iraq, Kenya, Madagascar, Mali, Mozambique, Nigeria, Rwanda, Senegal, the Sudan, Swaziland, the Syrian Arab Republic, Togo, the United Republic of Tanzania, Viet Nam, Yemen and Zimbabwe. Angola, Congo, the Dominican Republic and Tunisia subsequently joined the sponsors.

29. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications 3/ of the draft resolution. In that regard, a statement of the estimated administrative and programme budget implications of draft resolution E/CN.4/1997/L.17 was issued in document E/CN.4/1998/L.95.

30. Statements in explanation of vote before the vote were made by the representatives of Argentina, Japan, Mexico and the United States of America.

31. At the request of the representative of the United Kingdom of Great Britain and Northern Ireland, a vote by show of hands was taken on the draft resolution, which was adopted by 27 votes to 16, with 9 abstentions.

32. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/24.

Human rights and extreme poverty

33. At the 51st meeting, on 17 April 1998, the representative of France introduced draft resolution E/CN.4/1998/L.29, sponsored by Afghanistan, Algeria, Angola, Argentina, Bangladesh, Belgium, Bulgaria, Cameroon, Cape Verde, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Denmark, the Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Finland, France, Gabon, Greece, Guatemala, Honduras, India, Ireland, Italy, Luxembourg, Madagascar, Malaysia, Mexico, Mongolia, Morocco, Nepal, Nicaragua, Peru, the Philippines, Poland, Portugal, the Republic of Korea, Romania, the Russian Federation, Rwanda, San Marino, Senegal, Slovakia, South Africa, Spain, Switzerland, Togo, Ukraine and Venezuela. Andorra, Australia, Bhutan, Brazil, China, Georgia, Germany, Guinea, Iraq, Mali, Malta, Nigeria, Norway, Pakistan, the Sudan and Uruguay subsequently joined the sponsors.

34. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications 3/ of the draft resolution. In that regard, a statement of the estimated administrative and programme budget implications of draft resolution E/CN.4/1997/L.29 was issued in document E/CN.4/1998/L.96.

35. Statements in explanation of vote before the vote were made by the representatives of Japan and the United States of America.

36. The representative of the United States of America requested a vote. At the request of the representative of France, a roll-call vote was taken on the draft resolution, which was adopted by 51 votes to 1, with no abstentions. The voting was as follows:

In favour: Argentina, Austria, Bangladesh, Belarus, Bhutan, Botswana, Brazil, Canada, Cape Verde, Chile, China, Congo, Cuba, Czech Republic, Democratic Republic of the Congo, Denmark, Ecuador, El Salvador, France, Germany, Guatemala, Guinea, India, Indonesia, Ireland, Italy, Japan, Luxembourg, Madagascar, Malaysia, Mali, Mexico, Morocco, Mozambique,

Nepal, Pakistan, Peru, Philippines, Poland, Republic of Korea, Russian Federation, Senegal, South Africa, Sri Lanka, Sudan, Tunisia, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela.

Against: United States of America

Abstaining: None

37. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/25.

Question of the realization in all countries of the economic, social and cultural rights contained in the Universal Declaration of Human Rights and in the International Covenant on Economic, Social and Cultural Rights, and study of special problems which the developing countries face in their efforts to achieve these human rights

38. At the 51st meeting, on 17 April 1998, the observer for Portugal introduced draft resolution E/CN.4/1998/L.35, sponsored by Andorra, Angola, Australia, Austria, Belgium, Bulgaria, Cameroon, Cape Verde, Chile, Costa Rica, the Czech Republic, Denmark, the Dominican Republic, Finland, France, Germany, Greece, Ireland, Italy, Lithuania, Luxembourg, Mexico, Nepal, the Netherlands, Norway, Paraguay, Peru, the Philippines, Poland, Portugal, Romania, Slovakia, South Africa, Spain, Sweden, Switzerland, Togo and Uganda. Argentina, Belarus, Brazil, Congo, Cyprus, El Salvador, Georgia, Guatemala, Malta, Russian Federation, Tunisia, United Kingdom of Great Britain and Northern Ireland and Uruguay subsequently joined the sponsors.

39. The representative of the United States of America proposed amendments to operative paragraphs 7 and 8 of the draft resolution.

40. Statements in connection with the draft resolution were made by the representative of India and by the observer for Portugal.

41. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications 1/ of the draft resolution. In that regard, a statement of the estimated administrative and programme budget implications of draft resolution E/CN.4/1997/L.35 was issued in document E/CN.4/1998/L.97.

42. A statement in explanation of vote before the vote was made by the representative of the United States of America.

43. At the request of the representative of the United States of America, a vote by show of hands was taken on the draft resolution, which was adopted by 52 votes to 1 with no abstentions.

44. Statements in explanation of vote after the vote were made by the representatives of Japan and the United Kingdom of Great Britain and Northern Ireland.

45. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/33.

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REPORT TO THE ECONOMIC AND SOCIAL COUNCIL ON THE FIFTY-FOURTH SESSION OF THE COMMISSION

DRAFT REPORT OF THE COMMISSION

Rapporteur: Mr. Roman KUZNIAR

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VI. QUESTION OF THE REALIZATION OF THE RIGHT TO DEVELOPMENT

* Documents E/CN.4/1998/L.10 and addenda will contain the chapters of the report relating to the organization of the session and the various items on the agenda. Resolutions and decisions adopted by the Commission, as well as draft resolutions and decisions for action by, and other matters of concern to, the Economic and Social Council, will be contained in documents E/CN.4/1998/L.11 and addenda.

GE.98-12489 (E)

VI. QUESTION OF THE REALIZATION OF THE RIGHT TO DEVELOPMENT

1. The Commission considered agenda item 6 concurrently with item 5 (see chap. V) at its 13th to 18th meetings, from 24 to 26 March, and at its 58th meeting, on 22 April 1998. 1/

2. For the documents issued under agenda item 6, see annex IV to the present report. For a list of all resolutions and decisions adopted by the Commission and Chairman's statements, by agenda item, see annex V to the present report.

3. At the 14th meeting, on 24 March 1998, the Chairman-Rapporteur of the Intergovernmental Group of Experts on the Right to Development, Mr. Antonio García Revilla, introduced the report of the Intergovernmental Group of Experts on its second session (E/CN.4/1998/29).

4. In the general debate on agenda item 6, statements 2/ were made by the following members of the Commission: Bangladesh (17th), Brazil (17th), Chile (13th), China (15th), Cuba (17th), El Salvador (16th), India (14th), Indonesia (16th), Malaysia (18th), Morocco (14th), Nepal (15th), Peru (14th), Republic of Korea (17th), Russian Federation (16th), South Africa (17th), Sri Lanka (14th), Tunisia (17th), Uganda (15th), Ukraine (17th), United Kingdom of Great Britain and Northern Ireland (on behalf of the European Union, Bulgaria, Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Romania, Slovakia and Slovenia) (15th), United States of America (18th).

5. The Commission heard statements by the observers for: Algeria (18th), Colombia (18th), Côte d'Ivoire (16th), Egypt (15th), Ethiopia (16th), Finland (16th), Guatemala (16th), Iran (Islamic Republic of) (18th), Iraq (14th), Japan (16th), Madagascar (16th), Nicaragua (18th), Nigeria (16th), Norway (16th), Pakistan (16th), Portugal (18th), Senegal (16th), Swaziland (15th), United Arab Emirates (16th), United Republic of Tanzania (14th), Yemen (18th). The observers for the Holy See (14th) and Switzerland (16th) also made statements.

6. Statements were also made by the observers for the International Federation of Red Cross and Red Crescent Societies (16th), the United Nations Centre for Human Settlements (Habitat) (16th), the United Nations Children's Fund (18th), the World Bank (17th) and the World Health Organization (14th).

7. The Commission also heard statements by the following non-governmental organizations: African Association of Education for Development (18th),

African Commission of Health and Human Rights Promoters (14th), Afro-Asian People's Solidarity Organization (18th), American Association of Jurists (14th), Asian Buddhist Conference for Peace (17th), Asian Cultural Forum on Development (17th), Association tunisienne pour l'auto-développement et la solidarité (17th), Baha'i International Community (on behalf of African Commission of Health and Human Rights Promoters, All India Women's Conference, International Association for the Defence of Religious Liberty, International Association of Democratic Lawyers, International Educational Development, International Organization for the Development of Freedom of Education, Susila Dharma International Association, United Towns Agency for North-South Cooperation, World Federation of Methodist and Uniting Church Women, World Federation of United Nations Associations, Zonta International) (14th), Caritas Internationalis (18th), Himalayan Research and Cultural Foundation (17th), Indian Council of Education (17th), Indian Movement Tupaj Amaru (14th), International Association against Torture (18th), International Association of Democratic Lawyers (14th), International Federation of Rural Adult Catholic Movements (17th), International Federation of Social Workers (16th), International Indian Treaty Council (17th), International Institute for Peace (17th), International League for the Rights and Liberation of Peoples (17th), International Organization for the Development of Freedom of Education (16th), International Union of Latin Notariat (14th), Movement against Racism and for Friendship among Peoples (18th), Pax Romana (joint statement with Franciscans International) (14th), Service, Peace and Justice in Latin America (17th), Socialist International (18th), Women's International League for Peace and Freedom (17th), World Federation for Mental Health (17th), World Federation of Trade Unions (14th), World Muslim Congress (17th), World Society of Victimology (17th).

8. A statement equivalent to the exercise of the right of reply was made by the representative of Brazil (18th).

The right to development

9. At its 58th meeting, on 22 April 1998, the observer for Colombia (on behalf of the Non-Aligned Movement) introduced draft resolution E/CN.4./1998/L.19, sponsored by China and Colombia (on behalf of the Non-Aligned Movement). Argentina, Australia, Austria, Belarus, Belgium, Brazil, Canada, Costa Rica, Denmark, the Dominican Republic, El Salvador, Finland, France, Germany, Greece, Ireland, Italy, Japan, Norway, Paraguay,

Poland, Portugal, the Republic of Korea, the Russian Federation, Spain, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, the United Kingdom of Great Britain and Northern Ireland and Uruguay subsequently joined the sponsors.

10. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications 1/ of the draft resolution.

11. Statements in connection with the draft resolution were made by the representatives of Japan (on behalf of itself and Australia) and the United Kingdom of Great Britain and Northern Ireland (on behalf of the European Union).

12. A statement in explanation of vote before the vote was made by the representative of the United States of America.

13. The draft resolution was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/72.